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# The Extension of the Poor Law to Ireland

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THE EXTENSION OF THE POOR LAW  
TO IRELAND

A Dissertation

Submitted to the Graduate School of Loyola University  
in Partial Fulfillment of the Requirements  
for the Degree of

Doctor of Philosophy

by

Thomas G. Conway

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Director

Department of History  
Chicago, Illinois  
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to

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## PREFACE

The remarkable extension of the Poor Law to Ireland in 1838 calls for a history of its origins. This is readily possible since the enactment of the Irish Poor Law was preceded by long years of public discussion. The state of Ireland and of the Irish poor received greatly increased attention in England after the accession of George III, and such attention resulted in almost as many solutions to chronic Irish problems as there were writers on the subject. This present study will attempt to survey the whole gamut of social and economic analyses of the condition of the Irish poor and to put into perspective the steps by which government aid and private benevolence culminated in the enactment of a measure of general relief for the poor in 1837-8.

Not unlike the histories of other social legislation, the passage of the Irish Poor Law was the result of the cooperation of strange bedfellows whose motives and whose expectations were very different. The best evidence as to how Lord John Russell's measure gained the acceptance of so many diverse individuals and interest groups is seen in the long history of the Irish poor relief question 1760-1838.

Was the Irish Poor Law Bill of 1837-8 seen as the lesser evil among several alternatives and accepted by men who were appeased but not at all satisfied? If the measure satisfied few and was in fact a compromise conceived and hatched at a moment propitious for survival, a view which is supportable, then what value is there in tracing the development of the competing proposals for the solution of poverty and destitution in Ireland?



One answer is that the years after 1760 show the development of a heightened concern with the age-old problem of Irish poverty. Previous generations of Englishmen had generally been fatalistic about the amelioration of Ireland's endemic poverty. Analysing and distinguishing the motives behind this new interest and the varied plans for terminating the mass destitution in Ireland can give an important insight into the development of the English mind on Irish social and economic matters. This insight will show the complexity of English social and economic thought which is easily lost sight of in the pragmatic compromise measure which became law in 1837-8.

This dissertation has attempted to trace the development of the idea of extending government poor relief to Ireland in the parliamentary debates, important periodicals, in pamphlet literature, and in other forums of public discussion such as committee reports. While emphasizing the public discussion of relief measures for Ireland, special attention will be given to the varied motives for introducing some type of compulsory poor rates to Ireland.

It is the plan of this study to place the public and private attempts to relieve Irish destitution in the broader setting of general Irish poverty. This has been done because the distinction between destitution and poverty was rarely clear in the writings and discussions of the period. The lack of a generally accepted definition of destitution complicated and confused the debate on the subject and handicapped the advocacy of legal poor relief for the Irish.

The material of this dissertation was collected at the Newberry Library and libraries of the University of Chicago, Notre Dame University and Loyola University. Invaluable aid has been provided by R. D. Collison Black's

Economic Thought and the Irish Question 1817-1870. The research materials have been applied to reconstructing the continuity of the discussion of Irish poor relief plans and measures from 1760 to 1838.

The dissertation grew out of a research paper on the introduction of the Poor Law into Ireland whose topic was suggested by Dr. James E. O'Neill. Under his direction it was suggested that a more complete history of the extension of the Poor Law to Ireland be undertaken in order to fulfill the requirements for the doctoral degree. Dr. O'Neill's criticism of the preliminary research and of the early drafts has been of the greatest aid in completing the study. His high standards of research are responsible for the strengths of the study. In addition, the final paper was carefully read and corrected by Dr. O'Neill and his colleagues Dr. William Trimble and Dr. Walter Grey. I acknowledge a debt of gratitude to my advisor, readers and the assistance given to me by numerous librarians, typists and especially by my wife. Any errors in the fact content or commentary of the paper, however, are my own responsibility.

# TABLE OF CONTENTS

CHAPTER		page
I.	England, Ireland, and the Irish Poor, 1760-1815 . . . . .	1
II.	The Problem Perceived, 1815-1827 . . . . .	42
III.	Proposals and Measures, 1815-1827 . . . . .	78
IV.	Alternatives to a Poor Law, 1828-1838 . . . . .	115
V.	The Approach to an Irish Poor Law, 1828-1833 . . . . .	154
VI.	The Irish Poor Law Commission and After, 1833-1838 . . . . .	198
VII.	The Passage of the Irish Poor Act . . . . .	235
	Bibliography . . . . .	267

## CHAPTER I

### ENGLAND, IRELAND, AND THE IRISH POOR, 1760-1815

The age of George III was a glorious and critical period in the history of Great Britain and Ireland. In the midst of the French Wars and the acceleration of the industrial revolution the long quiescent Irish question was revived. Ireland was a nation that like Lazarus had emerged from the tomb alive. As the decades of the long reign of George III became history the awareness of Ireland increased and her special problems as a nation were perceived more clearly. The Anglo-Irish establishment and the British came to be more concerned about the "state of Ireland," as the expression went, after 1760. Initial concern for Ireland's tranquility and security led to interest in its prosperity. The development of humanitarianism bridged the gulf supported by the penal laws, and new economic thinking gradually freed Ireland from mercantilistic restrictions.

Ireland had been a backwater of little importance in English politics since the implementation of the penal laws. It had become a stagnant pond. The attention of England was directed to Ireland only when it spawned terrorists or reeked of social disorder. Terrorism and social disorder became endemic in eighteenth century Ireland.<sup>1</sup> Only the passage of time would reveal the significant train of events after 1760 from which a new Ireland would emerge.

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<sup>1</sup>William Edward Hartpole Lecky, A History of Ireland in the Eighteenth Century (London: Longmans, Green and Co., 1913), I, 241, 361.

Ireland was peaceful at the accession of George III, but it was the peace of human despair. The pulse of life in Ireland was faint. The penal laws had accomplished their work well. Ireland had thus exhibited general calm during the Jacobite uprising fifteen years before.

After 1760 both the general peace of Ireland and its sporadic violence served to attract men with benevolent intentions. These enlightened liberals had a social conscience. It was this conscience rather than the behavior of the Irish which was the motive for the more humane treatment of her Catholic population. However, the pace at which enlightened ideas metamorphosed into actions was quite slow in the eighteenth century. It was in the early years of the reign of George III that Edmund Burke, Henry Flood, John Foster, and Henry Grattan entered the ranks of the governing elite. In the early life of Burke we have a view of the new Irish society which was taking shape in Ireland. Edmund's father had married a Catholic, and while Edmund was raised in the Established Church, his surviving sister was raised as a Catholic. This is but one proof that the sharp rancor between the descendants of the conquerors and conquered had begun to soften. Tolerance had been given a greater development in Burke's character by the fact that the favorite teacher of his youth had been the master of a Catholic hedge-school.<sup>2</sup>

The welfare of the poor was one of the problems which came to receive increased attention after the awakening of concern for the state of Ireland. Even before 1760 there had been important men in Ireland who were interested in

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<sup>2</sup>J. C. Beckett, The Making of Modern Ireland 1603-1923 (New York: Alfred A. Knopf, 1966), pp. 213-214; William Hunt, "Burke, Edmund," Dictionary of National Biography, III (1886-7), 345, 354. Hereafter this source will be referred to as D.N.B.

more positive benefits for the poor than proselytism among them. Bishop Berkeley, Dean Swift and Lord Chesterfield were men deeply concerned about the poor who took steps to ameliorate their condition. While the latter was Lord Lieutenant of Ireland in 1744-1745, he studied the condition of Irish life carefully. Lord Chesterfield reported, "the poor people of Ireland are used worse than negroes by their lords and masters, and their deputies of deputies of deputies."<sup>3</sup>

The first public provision for the Irish poor was the Act of 1765 for the establishment of a hospital or county infirmary in every county. It was permissive legislation dependent upon private enterprise establishing an infirmary. Only then would the grand jury make an annual grant of £50 to £100 and the government would pay £100. Previously, there were individual institutions such as the Dublin Workhouse and Foundling Hospital and the Cork Workhouse. Also, there were measures for repressing mendicancy. However, Irish poor relief, though primarily medical and quite limited in scope, truly began with the Act of 1765. By 1775 there were infirmaries in every county except Leitrim and Waterford.<sup>4</sup>

Such a measure for the relief of the sick poor was an index that the enlightened leaders of Irish society saw the common benefits which could result from social legislation. In Ireland the notion of the identity of interests between the classes was taking hold in the minds of some leaders.

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<sup>3</sup>Lecky, I, 227, 285; he cites Lord Stanhope's History of England, V, 123.

<sup>4</sup>Beckett, p. 183; Report from the Select Committee on the Employment of the Poor in Ireland (S.P. 1830, H.C. 667, VII), p. 24. Each reference to a Sessional Paper (S.P.) will indicate in parenthesis the sessional year, the House or Command number, and the bound or microprint sets of Sessional Papers in which the paper can be found.

Especially remarkable among these enlightened leaders was Richard Woodward, the Protestant bishop of Cloyne. Born in Gloucestershire and educated at Oxford, Woodward was persuaded to take up his ministry in Ireland by Thomas Conolly.<sup>5</sup> Through Conolly's sister, the wife of the Earl of Buckinghamshire, who was the Lord Lieutenant from 1777 to 1780, Woodward received many preferences. In 1768, after he had become the dean of Clogher, he published a very influential pamphlet, An Argument in Support of the Right of the Poor in the Kingdom of Ireland to a National Provision. This pamphlet was apparently an effort to support a bill for the relief of the poor which Thomas Conolly had brought forward during the previous session of the Irish Parliament. Conolly had proposed that some of the burden of relief be laid on landed property.<sup>6</sup>

In 1765 the Irish Parliament had made a provision for the sick in the establishment of county infirmaries. Woodward praised this step as a "laudable beginning of a publick establishment for the sick" and said that many members of the Parliament had expressed the wish that poor relief be extended to the aged and infant poor. He rested his own plea for the poor on the belief:

. . . that the poor are so inadequately provided for by Voluntary Contributions in this Kingdom, as to stand in need of some legal title to a maintenance, . . . (it was the) indispensable duty of the rich to grant them a competent provision, . . . (and) eminently for the interest of the Commonwealth that this duty be discharged.<sup>7</sup>

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<sup>5</sup>Edward I. Carlyle, "Woodward, Richard," D.N.B., XXI (1900), 896; Thomas Conolly was a mediocre but very powerful commoner whose wealth was great and connections were important. See D.N.B., IV (1887-8), 954-955.

<sup>6</sup>Richard Woodward, An Argument in Support of the Right of the Poor in the Kingdom of Ireland to a National Provision (2d ed., Dublin: S. Powell, 1772), pp. 3-4.

<sup>7</sup>Ibid., pp. 12-14.

Organizing this proposal for poor relief into a three prong argumentation, Woodward noted the causes of poverty, the obligation in justice to relieve it, and the management of the poor. His pamphlet listed as the causes of Irish poverty the exorbitant rents, the lack of tenant-right, the system of middlemen, the oppression of duty-work and the low rate of wages. It added that the result of these was to depress the Irish cottager. He indicted those of the gentry who neglected their obligations to the "genuine" poor and, instead, supported importunate beggars. Woodward added that the genuine poor, presumably meaning the impotent or the sick, received their aid from the poorer tenants. Woodward considered the established Church as derelict in its duty to the poor but less blameworthy than the gentry because the Church's income was slight.<sup>8</sup>

As Woodward was an advocate of social justice, he believed that society had an absolute obligation to provide for the needs of every class in order to make their situation better than it would be in the "State of Nature." He saw this as having a foundation in equity, "For every Civil Constitution should be so framed that each Member of it could have been supposed to have acceded to it voluntarily, with a rational Attention to his own happiness."<sup>9</sup> Here the confluence of the Enlightenment with the ethics of Christianity is revealed.

Of first importance was the problem of actually caring for the poor. To him such care was to involve supporting the education of the destitute children in every parish. This was seen as infinitely better than entrusting their education to accidental alms. The sick poor were considered next in priority as deserving of aid. Woodward appended to his reasons for their relief

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<sup>8</sup> Ibid., pp. 15-18, 20.

<sup>9</sup> Ibid., pp. 23-24.



the argument that medical attention saved lives and shortened the time spent in recuperation, an argument with utilitarian appeal. Finally, relief was urged for the aged as due them for their service and as likely to prevent the creation of more beggars. Woodward added bitterly, in words reminiscent of Swift, that if the poor were not to be cared for "it would be still higher Degree of Oeconomy and even of Mercy, to adopt the refined Indian Policy, of putting an immediate End to them."<sup>10</sup>

Woodward declared that the rich must be obliged to contribute to the relief of the poor and not be allowed to throw the whole burden on the resident, the considerate and the benevolent. To him the special advantage of a legal provision was its being "most equitable to those who pay, and most equal and effectual to those who receive." He sought to silence the opposition to a legal provision with the following dicta: nations with the most provision for the poor had the most spirit of industry; no greater expense would exist under a legal provision than under present circumstances; and the abuses of England's Poor Law system need not be copied.<sup>11</sup>

He expressed the belief that it was better for one-twentieth of the rents to be used in support of the twentieth family which would occasionally need assistance than to let that family starve. He was optimistic that poor relief would not entail even such a heavy burden. Woodward suggested that the tax for a poor provision be progressive, only falling on income beyond the sum supposed to be sufficient to maintain a laborer and his family.<sup>12</sup>

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<sup>10</sup> Ibid., pp. 30-34.

<sup>11</sup> Ibid., pp. 38-41, 43-44.

<sup>12</sup> Ibid., pp. 45-47, 50-51.

The post-1760 legislation of the Irish Parliament indicated that there was concern about the condition and welfare of the Irish poor. The infirmity legislation of 1765 was proof of this concern. However, Woodward was not pleased with the slight support given to the infirmaries. They were too much dependent upon subscriptions. Under the 1765 provision an infirmity and fever hospital was established at Londonderry. It replaced an older poor house and infirmity. Little is known about this infirmity except that in 1769 Parliament voted £150 for its maintenance.<sup>13</sup> In 1769, under the influence of Richard Woodward, the House of Industry of Dublin was established. It was supported at first by subscription, donations and charity sermons.<sup>14</sup> A house of industry was supposed to differ from a workhouse in that it had the double objective of punishing vagrancy and relieving distress. The workhouse was a place of confinement and hard labor for sturdy beggars and vagabonds.

The pamphlet of Woodward and his House of Industry was the origin of the legislation of 1772 for the establishment of houses of industry. The Dublin establishment took on the character of a government institution. The Act of 1772 ordered that there should be "one body politic and corporate created and erected in every county . . . for the relief of the poor, and for punishing vagabonds and sturdy beggars."<sup>15</sup>

The goals of Woodward in poor relief were not realized in 1772. Three years later he published a second pamphlet entitled An Address to the Public

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<sup>13</sup> Thomas Francis Colby, Ordnance Survey of the County of Londonderry (Dublin: Hodges and Smith, 1837), p. 171.

<sup>14</sup> Constantia Maxwell, Dublin under the Georges 1714-1830 (Revised ed., London: George G. Harrap and Co., 1936), p. 157.

<sup>15</sup> Report of the Commissioners . . . to Inspect the House of Industry (S.P. 1820, H.C. 84, VIII), p. 3.

on the Expediency of a regular Plan for the Maintenance and Government of the Poor. His biographer considered the efforts of Woodward to be "one of the earliest as well as ablest pleas for the introduction of a compulsory provision for the poor into Ireland on the English model."<sup>16</sup> The major part of Woodward's proposal would become the basic material for nineteenth century Irish poor relief apologists.

The Act of 1772 would prove difficult to implement. This was true because under the legislation the only compulsory funds were by presentments of grand juries. As the grand juries were not required to make presentments, the natural recourse for unsympathetic grand juries was to neglect to make them. Thus it was that only a few places availed themselves of this law. Houses of industry were established in the towns of Cork, Waterford, and Limerick and the counties of Cork, Waterford, Limerick and Clare. In these places the chief reliance for funds was placed upon voluntary contributions. Only the Dublin establishment became a public charge. The intention of the Irish Parliament had been that the "several corporations should be local establishments, each severally providing for their own poor; but the plan, as a general measure failed."<sup>17</sup>

An example of the problems faced in using the Act of 1772 can be cited. In 1775 Queen's County adopted the idea of a corporation for the relief of the poor and punishing of vagabonds. Rev. Dean Coote was responsible for this corporation which was located at Maryborough. He had solicited subscriptions to supplement the county presentments. Soon after, however, the grand juries

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<sup>16</sup> Carlyle, p. 896.

<sup>17</sup> Report of the Commissioners (S.P. 1820; H.C. 84, VIII), p. 3.

stopped supporting the house of industry and it ceased to exist. The reason given for this was the knowledge of heavy poor rates in England. A witness, the Rev. Edward Ledwich, cast doubt on the grand jury's motive, testifying that the beggars had withdrawn on hearing that sturdy beggars were to be restrained. Ledwich suggested the use of the Scottish mode of supporting the poor.<sup>18</sup>

In the following years, probably as a consequence of the failure of a number of relief establishments to appear, the Dublin House of Industry came to assume the character of a national establishment, having the implied sanction of the Irish Parliament and the government of Ireland. In accordance with this development, the Dublin establishment received £4,000 from the Parliament in 1777 and grants of varying sums after that time. The House of Industry petitioned Parliament whenever it was in financial straits.<sup>19</sup>

In 1772 the Dublin House of Industry separated its relief activities and in the process the Foundling Hospital was created. These two relief agencies and their counterparts in other parts of Ireland constituted the bulk of organized public poor relief for the following sixty years. At irregular intervals they gained the attention of the public, but for the most part they performed their functions amidst apathy. The House of Industry accommodated the idle who were committed there and later the insane, the sick, children and delinquent boys. The applicants came from all over Ireland. Between 1781 and

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<sup>18</sup>William Shaw Mason, A Statistical Account or Parochial Survey of Ireland (Dublin: Graisberry and Campbell, 1814-1819), I, 52-54; Norman Moore, "Ledwich, Edward," D.N.B., IX (1892-3), 781. Ledwich was an Irish historian.

<sup>19</sup>Report of the Commissioners (S.P. 1820, H.C. 84, VIII), p. 3; Journal of the House of Commons (Irish) 1776-1778, (Dublin: n.p., n.d.), pp. 254-255; 1779-1780, pp. 96, 156, 331. This printed source was read at the Notre Dame Library.

1782, 2,019 entered voluntarily and 460 under compulsion.<sup>20</sup> By January of 1788, 35,497 had been relieved, and there were 1,844 inmates.<sup>21</sup> In 1803 the number of admissions reached the total of 4,468, the average over the years being 1,313.<sup>22</sup>

The Dublin House of Industry was partially maintained by local public and private subscriptions. However, the frequent grants of the Irish Parliament (which were biennial unlike the sessions of the Parliament) played the chief part in its operation. Parliamentary grants in 1779-1780 alone totaled 8,000.<sup>23</sup>

Benjamin Thompson, often known as Count Rumford, the noted scientist and advocate of poor relief, visited Dublin's House of Industry in 1796. Thomas Pelham, who then held the Irish Secretaryship, had urged him to look into the improvement of that establishment and to suggest corrections of its defects. The advice of Thompson was apparently heeded by the Irish Parliament.<sup>24</sup>

The Act of 1797 modified the management and maintenance of the House of Industry. Whereas previously two hundred members shared the direction of the establishment, the Act of 1797 placed the control in the hands of seven governors elected by the Dublin Corporation for the Relief of the Poor.

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<sup>20</sup> Maxwell, p. 158.

<sup>21</sup> The Parliamentary Register or, History of the Proceedings and Debates of the House of Commons of Ireland (Dublin: James Porter, 1784-1795), VIII (178), 30.

<sup>22</sup> Maxwell, p. 158.

<sup>23</sup> Journal of the House of Commons (Irish) 1779-1780, pp. 156, 331.

<sup>24</sup> William Fraser Rae, "Thompson, Sir Benjamin," D.N.B., XIX (1898-9), 687; Gerald LeGrys Norgate, "Pelham, Thomas," D.N.B., XV (1895-6), 698; Thomas Pelham, "Extract from . . . A Society for Bettering the Condition . . . of the Poor," Reports of the Society for Bettering the Condition . . . of the Poor (London: Savage and Easingwood, 1805), II, 193-200.

Thompson's Hamburg poor relief establishment was used as the model for the regulation of the House of Industry. The Hamburg technique of maintaining a standard of living less attractive than that of the lowest paid laborer and providing a cheap and supposedly adequate diet was introduced.<sup>25</sup>

Some resemblances may be seen between the 1797 regime of the Dublin House of Industry and the regulated workhouse of the New Poor Law of 1834. Because of reform moves and fairly continuous support, the House of Industry was able to continue functioning and was moderately successful in accomplishing its purpose. If the House of Industry was unpopular with the Irish poor except during periods of distress, it was the only example of a national provision for the poor in Ireland before the introduction of the Poor Law. As the token example it was to occupy a central place in the debate over the introduction of the Poor Law to Ireland.

In 1796 the Society for Bettering the Condition and Increasing the Comforts of the Poor appeared in Great Britain. Its published Reports spread more widely the knowledge of the accomplishments of individuals and groups in the area of poor relief in both Great Britain and Ireland. The Reports publicized the innovations in the Dublin House of Industry. Thomas Pelham, then the Home Secretary in the Addington Ministry, recorded in 1799 that a society imitating the work of the above English society was established at Cork. The relief establishment of Benjamin Thompson at Munich also influenced the Cork society. Accordingly, the new society felt that the best relief was based on making the poor help themselves, the encouragement of industry and prudence,

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<sup>25</sup> Thomas Bernard, "Extract from an Account of the Late Improvements in the House of Industry, at Dublin," Reports of the Society for Bettering the Condition . . . of the Poor, II, 132-136.

especially through friendly societies, and the cooperation of Protestant and Catholic bishops.<sup>26</sup>

The Society for Bettering the Condition and Increasing the Comforts of the Poor was an expression of the English humanitarian movement. The Society encouraged local groups to initiate plans to aid the poor. Its objectives were broader than simple poor relief. The guiding tenet of the Society was the belief that men must be self-reliant and independent. Its guiding principle was the poor helping themselves, and it sought to make it possible for the poor to help themselves. The self-help concept of aid to the poor would not have important consequences in Ireland. Self-help schemes, however, did occupy the minds of humanitarians, and kept them from concentrating on the expedient of poor relief. The friendly societies and banks established by the Society and its counterparts had only an indirect part to play in the development leading to a Poor Law for Ireland.

The Dublin Foundling Hospital shared with the Dublin House of Industry the role of being a national establishment for the relief of the poor. Its history indicated that, like the Old Poor Law, it drew strong criticism. In fact, the abuses of the Foundling Hospital led critics to oppose the enactment of a national provision for the poor either of Richard Woodward's type or of the character of the Old Poor Law.

The origins of the Foundling Hospital pre-dated the Dublin House of Industry. A prototype foundation existed as early as 1704. The Foundling Hospital was supposed to send children into the country until they were six

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<sup>26</sup> Pelham, II, 193-200.

years of age, and the children were to be presented for inspection by their nurses once a year.<sup>27</sup> After 1772 the Hospital received greater attention. The insufficiency of private donation, however, led it to petition Parliament almost biennially for grants. It received grants totaling £14,000 in 1779-1780 and similar grants in other years.<sup>28</sup> In 1790 a petition to the Irish Parliament claimed that a total of 5,472 children were supported by the charity of the Dublin Foundling Hospital and relief was requested in order that the Hospital might pay its large debts.<sup>29</sup>

Some Irish legislators became critical of the Hospital's administration. In 1791 one such legislator, Sir John Blaquiére, demanded an investigation into the operations of the establishment, charging gross negligence. While concentrating his fire on the treatment that the children received, or allegedly did not receive, Blaquiére suggested modifying the structure in order to create and locate responsibility for its maintenance. He declared that although the Foundling Hospital had three hundred governors, chiefly Peers and Members of Parliament, the quorum necessary to pass by-laws was never obtained and that authority had been delegated to the treasurer who had been bedridden for the last six years.<sup>30</sup>

Blaquiére proceeded to reveal details of negligence which shocked the house. Chief among the revelations was the charge that of 2,180 infants

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<sup>27</sup> Anne Plumptre, Narrative of a Residence in Ireland during the Summer of 1814, and That of 1815 (London: Henry Colburn, 1817), p. 42.

<sup>28</sup> Journal of the House of Commons (Irish) 1776-1778, pp. 254, 256; 1779-1780, pp. 156, 331.

<sup>29</sup> Parliamentary Register, X (1790), 134-135.

<sup>30</sup> Ibid., XI (1791), 257; William P. Courtney, "Blaquiére, John" D.N.B., II (1885-6), 667. He had served as Chief Secretary of Ireland in Lord Harcourt's Lord Lieutenancy (1772-7) and continued as a leading Irish political figure after that time.



received annually in 1788-1791 over ninety per cent were dead or unaccounted for. Blaquiere requested that the Foundling Hospital be placed under thirty-seven governors to improve its administration and bring economy to its operation. If this step was not successful, he asked that the Hospital be abolished.<sup>31</sup>

Blaquiere's allegations provoked a torrent of debate, and before the controversy lapsed, he added some more evidence and even a very interesting suggestion for improving the relief of the poor. For example, he said that many of the foundlings came from as far as Galway and Belfast and that some were "so bruised in the conveyance as scarcely to survive the first or second day." As a remedy Blaquiere proposed a bill in 1792 for the construction of wards for the reception of deserted children, disordered persons and the insane. These wards would be annexed to the county infirmaries. Also, a room in each infirmary was to be set aside for dispensing medicine and advice gratis to the poor. This relief was to be provided through grand jury presentments.<sup>32</sup>

Blaquiere's reform suggestions did not immediately win approval. The committee appointed by the Irish Parliament in 1792 to investigate the state and management of the Foundling Hospital did not support any great reform.<sup>33</sup> However, five years later another investigatory committee accepted some of Blaquiere's suggestions. The Irish House of Commons then adopted the reform of

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<sup>31</sup>Parliamentary Register, XI (1791), 258.

<sup>32</sup>Ibid., XI (1791), 258-259, 308, 413, 416; XII (1792), 290-292.

Note: the Act of 27 George III, c. 39 provided for the support of the insane in Ireland, and in 1795 the Act of 1765 was amended. Corporations were created and empowered to build and keep accommodations for the sick.

<sup>33</sup>Ibid., XII (1792), 293, 304-305.

reducing the number of governors. Another proposal made by Blaquiére in 1792 was also adopted. This was the employment of some leading Irish ladies in the Foundling Hospital as governesses.<sup>34</sup> Blaquiére's revelations drew attention to the problem of the medical care for the destitute. Interest in providing an adequate system of medical care for all parts of Ireland began to develop from this time. Medical relief would long constitute the only widespread form of legal provision for the poor.

There was a developing public appreciation of the state of the Irish poor during the reign of George III which exceeded the remedial moves made by public authority during the same time. Travelers and critical journalists from Arthur Young through William Cobbett were aroused by the distress of Irish society and indicated in no uncertain terms the need for improving the condition of Ireland.

Young made his observations on the state of the Irish lower classes during 1776-1779. He noted the ill-clothed, but well-fed appearance of the masses, the frequency of the theft of crops, and the oppression of the penal laws. Young wrote of the peasants, "Their circumstances are in general greatly better than they were twenty years ago, both in food and clothing."<sup>35</sup> He was not writing specifically of the state of the destitute poor here.

As Young visited Ireland only shortly after the publication of the Wealth of Nations (1776) and before the appearance of Malthus' Essay on Population (1798), the relationship of his observations to these landmark works in political economy is interesting. Young represented the Enlightenment and

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<sup>34</sup> Maxwell, pp. 160-161.

<sup>35</sup> Arthur W. Hutton (ed.), Arthur Young's Tour in Ireland (1776-1779) (London: George Bell and Sons, 1892), I, 59-60.

possessed a strong interest in agriculture. It was under these influences that he saw the importance of the lower classes. He noted that "their welfare forms the broad basis of public prosperity . . . in proportion to their ease is the strength and wealth of nations, as public debility will be the certain attendant on their misery."<sup>36</sup>

Young saw the imperative need of giving attention to the condition of the poor. He had in mind the public's concern with the population in Ireland, which was reckoned at 2,750,000 in 1781. Young insisted that the proper concern was the relation between general improvement and population increase rather than with the latter alone.<sup>37</sup>

The Irish economy provided insufficient employment to a growing population. It was denied by English policy and nature the opportunity to develop manufacturing and mining industries. In addition, when Young visited Ireland much of the land was devoted to grazing and gave little employment to the peasantry. Unemployment increased poverty in Ireland to a greater degree than it did in England. The Poor Law and urban industrialization aided the expanding population in England.

The debates of the Irish Parliament reveal a concern for the welfare of Ireland's lower classes. Although much of this concern was merely rhetorical, there were some members who were deeply interested in the poor. In 1784 Richard Griffith, a member of Parliament, posed the dilemma that the distressed state of the lower classes must be the result of the laws of the Parliament or

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<sup>36</sup> Ibid., II, 85.

<sup>37</sup> Ibid., II, 85, 258. Young cited J. Howlett's Essay on the Population.

of the viciousness and imbecility of the Irish people. Rejecting the latter alternative, he criticized the policies of the Parliament. Griffith asked of what value was talk of Ireland's free trade or free constitution when poverty was constantly increasing.<sup>38</sup>

Griffith's fellow members concentrated their attention on issues whose outcome was peripheral to the problems of the destitute poor. The chief issues were not concerned with poor relief per se. They did, however, relate to the general welfare of Ireland. These issues included: a tax on absentees, the regulation of the corn trade, legislative independence and relaxation of the penal laws.

While only a few members of Parliament were striving for poor relief legislation, many were in favor of repressing begging. Thus in 1784 a law was passed enforcing existing legislation on the badging of the helpless poor for the purposes of allowing them to beg publicly while restraining any able-bodied poor from begging, a nostrum dating back at least to Jonathan Swift. Little was done to directly relieve the destitute. Alderman M. P. Nathaniel Warren of Dublin appealed for Parliament to aid destitute families of eight or ten in the Liberty of Dublin, a slum section. He said that the resources of private charity were about exhausted. He suggested that Ireland should imitate prosperous England by aiding the poor. Warren's appeal was not acted upon.<sup>39</sup>

Outbreaks of violence and outrage perpetrated by the poor frequently caused the Irish Parliament to take notice of poverty. Speaking on outrages Major John Doyle, a frequent spokesman for the distressed, said that the poor

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<sup>38</sup> Parliamentary Register, III (1784), 132-133; Sidney Lee "Griffith, Richard," D.N.B., VIII (1889-90), 681.

<sup>39</sup> Parliamentary Register, III (1784), 131, 226.

had long looked in vain for relief from the Parliament in such matters as the burden of taxes. Montgomery suggested that the Parliament should have inquired into grievances first rather than to punish and then inquire. He demanded an inquiry into the grievances of the poor.<sup>40</sup>

Tumultuous activity in the countryside formed the constant subject of discussion during the 1787 session of the Parliament. Charles O'Neill informed the House of Commons of his belief that the people were led to disorder by the conditions of poverty rather than inflammatory pamphlets or interested people. The best rebuttal that an opponent could offer in defending the existing arrangement, especially in the matters of taxes and tithes, was that the poor in Ireland were little worse off than those of England and that the state of the poor was improving every day.<sup>41</sup>

In Ireland poor tenants who were only slightly removed from destitution paid taxes and tithes. Thus, in one sense those who sought the elimination of tithes, certain taxes, and absenteeism and the improvement of Ireland's economy were advocates of the poor. However, none of these steps above would have directly relieved the destitute poor as a legal provision would have. The destitute received little benefit from the legislative independence of Grattan's Parliament. In fact, the political crisis in Ireland and the French Revolution caused contemporary leaders to lose sight of the poor and their need for relief.

The rising of the United Irishmen in the 1790's indicated the grievances of the Irish toward England. The insurrection did not appear to command the

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<sup>40</sup> *Ibid.*, VII (1787), 220, 222, 63; Henry M. Stephens, "Doyle, Sir John," *D.N.B.*, V (1888), 1318. He was an eloquent speaker and later was Secretary of War in Ireland (1796-9). Montgomery of Donegal was a frequent speaker.

<sup>41</sup> *Parliamentary Register*, VII (1787), 63, 220-222, 351-352.

widespread support of the poor. The apathy of the poor may have stemmed from their lack of identification with the chief purposes of the United Irishmen, that is, national independence. By his comments to his captors Thomas Emmet, a leader of the 1798 rebellion, showed his lack of identification with the immediate needs of the poor. To him a reformed Irish Parliament would have been the means of ameliorating the state of the poor.<sup>42</sup>

There is evidence that Protestant parishes took Sunday collections for their own poor and occasionally for the Catholic poor. However, there can be no doubt that the governing classes in England showed more concern, as evidenced by concrete actions, for their poor than was the case in Ireland.<sup>43</sup>

Wiser English heads saw the connection between crime and poverty, the very insight which formed the springboard to the Elizabethan Poor Law itself.

The industrial revolution was in the process of creating great changes in England by shifting the areas of employment, leaving surplus laborers in the south. While the harsh conditions produced by occasional unemployment would create great distress among the industrial laborers, it was poverty among agricultural laborers which caused great changes in the administration of legal poor relief in the last decades of the eighteenth century. The seasonal unemployment in the wheat growing counties was the source for much of the so-called surplus labor in the south.<sup>44</sup>

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<sup>42</sup> John T. Gilbert, Documents Relating to Ireland 1795-1804 (Dublin: Joseph Dollard, 1893), p. 185.

<sup>43</sup> Frederic Eden, The State of the Poor: or, an History of the Laboring Classes in England (London: J. Davis, 1797), III, 367-386.

<sup>44</sup> Sidney Webb and Beatrice Webb, English Poor Law History: Part I. The Old Poor Law (London: Longmans, Green and Co., 1927), pp. 172-173; Mark Blaug, "Myth of the Old Poor Law and the Making of the New," Journal of Economic History, XXIII (1963), 169-171.

Gilbert's Act of 1782 established reformed workhouses by unions of parishes from which the able-bodied poor were excluded. This latter step led to widespread outdoor relief of the able-bodied under the power of the justices of the Peace. To critics the worst effects of this indiscriminate outdoor relief were seen when it took the form of small sums insufficient for maintenance, and intended to be supplemented by underpaid labor. This "rate-in-aid of wages," while not new, now became widespread.<sup>45</sup>

In the 1790's as a result of the combined effect of distress among the poor because of high food prices and the contagion of the revolutionary spirit, the rate-in-aid of wages became systematized and general in many localities. Instead of permitting an increase in wages, the laborers became a burden on the poor rate. This was called the Speenhamland System after 1795.<sup>46</sup> Mark Blaug, a modern historian, defends the economic operations of the rate-in-aid of wages, but such a view was most rare in the nineteenth century.<sup>47</sup>

The relaxation of the administration of the Poor Law was effectively completed by William Pitt. When he spoke to Parliament in 1796 against Whitbread's Bill to regulate the wages of laborers in husbandry, Pitt encouraged the extension of friendly societies and schools of industry for children. He then introduced an expanded view of poor relief. He requested that "the law which prohibits giving relief where any visible property remains should be abolished." Furthermore, Pitt advised that small amounts of capital be advanced to the poor on a loan basis. He asked that in cases where there were a number of children poor relief be made a matter of right rather than of

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<sup>45</sup> Webb, pp. 170-172.

<sup>46</sup> Ibid., pp. 172-175, 177-178.

<sup>47</sup> Blaug, pp. 152, 167-169.

opprobrium and contempt. With all his eloquence and power he persuaded Parliament to oppose tampering with wages.<sup>48</sup>

Pitt believed that Young's Act of 1795, which prevented removal unless actually chargeable, and the Act of 1796 extending outdoor relief would help remedy the chief abuse of the Poor Law, that is, the law of settlement. Yet, he presented his own bill for a general reform of the Poor Law in December of 1796. The bill was favorable to rate-in-aid of wages, the Speenhamland System.

<sup>49</sup> According to the Webbs, the main idea of the bill was the organization of help to set on his feet the man who was heading toward destitution. The bill met with near-universal condemnation in the country and failed to pass.<sup>50</sup> From this time, however, the administration of the Poor Law was relaxed even more.

No similar extension of poor relief took place in Ireland during these years preceding the Peace. For Ireland William Pitt planned the Union rather than a modified Poor Law. Pitt purchased the termination of the Irish legislature. He had desired the Act of Union be accompanied by Catholic emancipation. The latter could not be purchased. George III was not subject to bribery and corruption or persuasion.<sup>51</sup>

It is unfortunate that the Union of 1800 was not more complete. Its success may have depended on its completeness. Pitt had desired economic union

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<sup>48</sup> The Parliamentary History of England . . . to the Year 1803 (London: T. C. Hansard, 1813), XXXII (1796), 710-711.

<sup>49</sup> Ibid., p. 1405.

<sup>50</sup> Webb, Part II: The Last Hundred Years (Private ed., London: n.p., 1929), I, 34-37.

<sup>51</sup> Beckett, pp. 270, 278; See also Lecky, V and G. C. Bolton, The Passing of the Irish Act of Union: a Study in Parliamentary Politics (London, 1966).



before he had desired political union but had been blocked by Parliamentary opposition. Thorough unionists such as Thomas Spring-Rice later demanded a fuller political union as well. A complete union would have entailed the uniform administration of all national laws. The English Poor Law might well have come to Ireland in 1800 with the Act of Union. However, such a complete Union would never have gained the assent of the Irish Parliament. This type of Unionist thinking with its desired uniformity of practice between Ireland and England was to have its effect on the reform era.<sup>52</sup>

The widespread poverty of the Irish peasantry which led to much destitution presented a great challenge to the Union. George Cooper, a traveler to Ireland in 1799, observed of the state of the peasantry:

. . . the condition of the West Indian negro is a paradise to it. The slave in our colonies has meat to eat and distilled spirit to drink. . . . The country (Ireland) is divided between the disproportionately rich and the miserably poor. It is ruled by an aristocracy with a rod of iron.<sup>53</sup>

Cooper was disgusted at the miserable government of Ireland and accused its Parliament of lavishing revenues on placemen and ridiculous edifices instead of on agriculture and industry. The fact that food continued to be imported and that unemployment remained so great he blamed completely on the landlords. He noted that although the poor suffered from the sad state of industry and trade "no parochial provision for the poor throughout the kingdom existed to supply the omission."<sup>54</sup>

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<sup>52</sup> Thomas Spring-Rice, Speech of . . . Thomas Spring-Rice . . . on the Repeal of the Union (London: J. Ridgway, 1834), pp. 56-57, 100.

<sup>53</sup> George Cooper, Letters on the Irish Nation: Written during a Visit to that Kingdom . . . 1799 (London: J. White, 1800), pp. 72-74.

<sup>54</sup> Ibid., pp. 75, 117-118, 122-123.

Surprisingly, Cooper did not believe that under the existing circumstances that Ireland would be able to bear the expenses of a national relief provision. He thought that such could only be established as the auxiliary to a great development of Irish trade. Cooper concluded with the telling observation, "Unless a nation is rich, it can never maintain its poor."<sup>55</sup>

Many humanitarians sympathized with the poor while refusing to support relief schemes. These would lend their support to economic, political and religious legislation and schemes to indirectly ameliorate the condition of the poor. Such men impeded the introduction of the Poor Law to Ireland. The advocates of these indirect methods are of less concern to this study than those who sought a legislative provision for the poor.<sup>56</sup>

Some of the advocates of a legislative provision for the poor in Ireland favored such a measure because England with a poor provision was wealthy. They concluded, perhaps incorrectly, that the provision had helped bring about national prosperity and would do the same for Ireland. They compared pre-Poor Law England of the Tudor era with the Ireland of the early nineteenth century. Michael Sadler and James Doyle among others saw the plight of the Irish poor as very similar to that of the Tudor poor.<sup>57</sup>

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<sup>55</sup> Ibid., pp. 123-124.

<sup>56</sup> John F. Burgoyne, Ireland in 1831. Letters on the State of Ireland (London: Bain, 1831), p. 30; L. Kennedy, On the Cultivation of Waste Lands (London: J. Ridgway, 1829), p. 41; Mountifort Longfield, Lectures on Political Economy . . . 1833 (Dublin: Richard Milliken and Son, 1834), pp. 53-54; M. F. Cusack, Speeches and Public Letters of the Liberator (Dublin: McGlashan and Gill, 1875), I, 455-456; John O'Driscoll, Views of Ireland, Moral, Political and Religious (London: Longman, Hurst, 1823), pp. 198-199.

<sup>57</sup> James Doyle, Letter to Thomas Spring-Rice . . . on the Establishment of a Legal Provision for the Irish Poor (Dublin: Richard Coyne, 1831), pp. 45-49, 57; George Strickland, Discourse on the Poor Laws of England. . . on the State of the Poor of Ireland (2d ed., London: James Ridgway, 1830), pp. 41, 43-44; Robert Torrens, "A Paper on the Means of Reducing the Poor Rates, etc.,"

These men gave little attention to the debatable point of whether or not Ireland in her existing condition could afford such a provision. They believed that the justice of a provision for the poor was sufficient reason for there being one and that Ireland would benefit from such a move. Sadler and Doyle disputed the principles of political economy and its axioms as regarded Ireland. After all, Malthus, a chief prophet of the dismal science, continued to trust in the essential benevolence of the divine plan of creation after he had discerned his frightening law on population and food supply.<sup>58</sup>

One of the last acts of the Irish Parliament was to provide a sum of £47,284 annually for public charities. By the Act of Union this provision was to continue in effect for twenty years. Actually, it was extended beyond this time by act of the British Parliament.<sup>59</sup> Yet, this was an inadequate provision which was unsatisfactory to the needs of the Irish poor.

In 1802 Colonel William Bagwell, M. P. for the borough of Clonmell, recommended in Parliament that some public assistance be given to the numerous Irish poor. He claimed that the poor were perishing from hunger, disease and infirmity. However, Bagwell opposed the introduction of poor rates. Others concerned with aiding the poor in Ireland agreed, some seeing a legal impasse to poor rates in the Articles of Union.<sup>60</sup>

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The Pamphleteer (London: A. J. Valpy, 1817), X, 526-527; Sir John Walsh, Poor Laws in Ireland (3d ed., London: James Ridgway, 1831), p. 6; Hansard's Parliamentary Debates (Third Series, London: T. C. Hansard, 1832), I (1831), 804, 809. Hereafter this last source will be referred to as Parl. Deb. and the appropriate series number will be prefixed.

<sup>58</sup>Thomas Robert Malthus, On Population (New York: Random House, 1960), pp. 494, 512. The comments cited are from the second edition of 1803.

<sup>59</sup>2 Parl. Deb., XV (1826), 86-87.

<sup>60</sup>Francis Plowden, The History of Ireland from Its Union with Great Britain . . . to October 1810 (Dublin: John Boyce, 1810), I, 170.

William Wickham, then Chief Secretary for Ireland, cautiously observed, "In passing the Union, the poor Ireland has been totally overlooked." He added that since by the Union the public and local expenses of Ireland had become partly chargeable on Great Britain, it would be impractical to bring forth a Parliamentary proposal without modifying the Articles of Union. Wickham felt that a charge for relieving the Irish poor had not been foreseen under the Articles and would not be approved by the people of England. Also, he doubted whether a separate tax could be levied legally in Ireland.<sup>61</sup>

The contemporary historian, Francis Plowden, was able to see clearly the quandry in which the fate of the Irish poor was placed, their own Parliament gone and their welfare in the hands of a distant Parliament less interested in them.<sup>62</sup>

From the beginning of the French wars to their conclusion the government did not express intentions of modifying the social order of Ireland by making some government provision for the poor. After the Rebellion of 1798 and the Act of Union, public interest in general Irish affairs declined. Yet, humanitarians continued to be quite concerned about the fate of the Irish poor. While Irish poverty was not very similar to English poverty in cause or nature, the attitudes of the philanthropists in England affected philanthropy in general, even in Ireland. The last decades of the eighteenth century witnessed a change in the attitudes of philanthropy. While charity continued to be widespread, acts of charity became more calculating and pessimistic. Philanthropists came to frown on casual almsgiving and judged charitable efforts by their

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<sup>61</sup>Ibid., pp. 170-171; John A. Hamilton, "Wickham, William," D.N.B., XXI (1900), 177-178.

<sup>62</sup>Plowden, p. 171.

success in encouraging recipients to stand on their own feet.<sup>63</sup> William Pitt had expressed this view in 1796. Thomas Bernard and William Wilberforce supported this view in their foundation of the Society for Bettering the Condition of the Poor in 1796.<sup>64</sup>

Organized philanthropy like the above expected that the destitute would rely on parish relief, doles or casual almsgiving. It was felt that poverty lay within the sphere of organized philanthropy only when it was complicated by other factors such as a bad winter, crop failure or an epidemic. Normally the proper concerns were care of the sick and helpless and loans to the independent poor.<sup>65</sup> Those who disbursed parish relief, doles or alms were asked by Malthus and others to discriminate carefully among those clamoring for aid. True charity was said to consist in knowing the real needs of the poor. It was held necessary that there be a discretionary power of giving or withholding relief.<sup>66</sup> This viewpoint was an important source of opposition to a legal provision for the poor.

Up to the introduction of the Poor Law to Ireland private charity dominated in the relief of the poor. This charity took many forms and was very generous. Constantia Maxwell, a modern historian, has written that the extent of private charity in Georgian Dublin alone was amazing. In particular she cited the philanthropic work of Lady Arabella Denny and Thomas Pleasants

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<sup>63</sup>David Owen, English Philanthropy 1660-1960 (Cambridge: Harvard University Press, 1964), pp. 97-98; Maxwell, p. 163; J. E. Bicheno, An Inquiry into the Nature of Benevolence (London: Rowland Hunter, 1817), pp. 2-10, 12, 16.

<sup>64</sup>Webb, Part II, I, 34-37; Thomas F. Henderson, "Bernard, Sir Thomas," D.N.B., II (1885-6), 388.

<sup>65</sup>Owen, pp. 104-105.

<sup>66</sup>Malthus, pp. 547-549.

and of charity sermons in relieving the destitute. The role of the charity sermon as the great prop of the philanthropist is described by her.<sup>67</sup>

Organizations to encourage the economic independence of the poor appeared in Ireland. Almost by definition these organizations did not aid the destitute poor. For example, the charitable loan "bank" lent out its funds in small sums to poor laborers and tenants. Yet, the borrowers were selected with an eye to their being good risks.<sup>68</sup> This qualification excluded most of the destitute. The charitable loan organizations are pertinent to this study because they were important in preventing able-bodied men from falling into destitution.

The Irish Parliament had approved the Charitable Loan Fund in 1777-1778 which was to lend small sums of £2 to £5 at no interest to poor laborers and tenants. Difficulties prevented the realization of this hopeful plan.<sup>69</sup>

Later, occasional country gentlemen stood surety for their tenants in order that they might obtain loans from charitable loan organizations or regular banks. The outstanding example of the former was the Charitable Loan of Londonderry founded in 1809 by Bishop William Knox as a joint Protestant-Catholic effort. This organization lent small sums without interest. It kept its financial resources in circulation and yet did not lose its capital through defaulting debtors.<sup>70</sup> Other charitable loan organizations existed. Among these were the parish of Enniscorthy in County Wexford and the parish of Fiddown in

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<sup>67</sup> Maxwell, pp. 169-171; The charity work of Thomas Pleasants was cited in William Parker's A Plan for the General Improvement . . . of the Poor of Ireland (London: Edmond Barber, 1816), p. 139.

<sup>68</sup> Mason, I, 368.

<sup>69</sup> Colby, p. 163.

<sup>70</sup> Ibid., p. 163; Thomas Hamilton, "Knox, William," D.N.B., XI (1892-3),

County Kilkenny. These two parishes were part of a sample of fifty-four in a parochial survey conducted by the statistician, William Shaw Mason. They are proof that even rural areas had charitable loan organizations. Like private charity in general the self-help organizations were not capable of giving the quantity and type of poor relief needed.<sup>71</sup>

Undoubtedly, the vast amount of poor relief disbursed in Ireland during these years preceding the introduction of the Poor Law to Ireland, was in the form of casual charity. Travelers invariably noted the generosity of the poorer classes for the destitute. Simple Christianity buttressed by superstition demanded that the poor or middling Irish tenant or cottier relieve those less fortunate than themselves out of their own sufficiency. This relief usually took the form of alms in potatoes.<sup>72</sup> Such alms were extended to strangers also when these were not able-bodied and even to the colorful seanachies, the storytellers.

Advocates of the welfare of the poor considered the relief given at the doorstep of the peasant cottage in the form of a handful of potatoes as a poor rate imposed on the Irish. This doorstep relief was almost a compulsory burden on the peasants. It was an especially depressive tax since the wealthy and absentee landlords were freed from its levy by their separation from the social pressures of the peasant society. Difference of religion served to lessen the sympathy of the Irish gentry for their peasantry as compared with the gentry of England. With fewer pangs of conscience the landlords could leave the genuinely destitute to be cared for by the Catholic tenantry. The brazen and

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<sup>71</sup> Mason I, 352, 368; II, 132.

<sup>72</sup> Henry D. Inglis, A Journey throughout Ireland (4th ed., London: Whittaker and Co., 1836), pp. 374-375; Woodward, pp. 15-18.

often fraudulent professional beggars could more readily touch the purse of the wealthy. For this reason, often when the rich concerned themselves with the poor, it was to put down begging. They acted from annoyance more than from concern.<sup>73</sup>

Private charity, organized and casual, and self-help organizations did not suffice for the improvement of the poor and not even the relief of the destitute. Thomas Bernard, a prominent member of the Society for Bettering the Condition and Increasing the Comforts of the Poor, agreed. While he praised the good work of private charitable organizations in Ireland, Bernard concluded that much more could be accomplished with government aid.<sup>74</sup>

The government aid to which Bernard referred was to take the form of a powerful system of measures. Bernard, however, specifically derogated the Poor Law solution. Rather, he proposed combatting Irish poverty by the means of government support to education. While urging that individual efforts go hand in hand with government measures, Bernard declared:

Ireland has the advantage of being unencumbered with our system of poor laws, . . . yet it must be repeated, that there are many circumstances, which render it impossible that the great and necessary improvements in the condition of the poor in Ireland, should be produced merely by individual exertion and cooperation.<sup>75</sup>

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<sup>73</sup> Edward Wakefield, An Account of Ireland Statistical and Political (London: Longman, Rees, Orme and Brown, 1812), II, 773-774, 794, 804; Parliamentary Register, III (1784), 131.

<sup>74</sup> Bernard, "Extract from the Parochial Returns etc.," Reports of the Society for Bettering the Condition . . . of the Poor (London: W. Bulmer and Co., 1805), IV, 218-221.

<sup>75</sup> Ibid., pp. 219, 223.



The extent of organized private charity in the countryside of Ireland can only be estimated. The evidence of William Shaw Mason, whose work was encouraged by Peel gives us some idea. The replies to Mason's survey of 1814-1816 indicate that some organized poor relief was disbursed in a fifth of the parishes in his sample. This aid to the poor was given in the form of parish relief, hospital care and charitable loans. Several parish clergymen expressed an interest in beginning some organized poor relief. The few parishes in the survey which were urban in character tended to have more relief than the rural ones. However, many of the parishes who did not possess some organized poor relief seem to have cared for their destitute. Several parishes reported that mendicancy was not practiced by the natives of the parish because the charity given when some were in distress sufficed.<sup>76</sup>

Lecky claimed that the lack of a legal provision for the Irish poor was an advantage in the late eighteenth century because of the evils of the English Poor Law and the generosity of the Irish Parliament to charitable institutions and, in times of distress, to the direct relief of the destitute.<sup>77</sup> After 1800 the Parliament of Great Britain and Ireland continued this latter function. In general, however, poor relief in Ireland was dependent on voluntary enterprise. This failed in spite of the heroic efforts of a few because the country gentry were more selfish, negligent, and ignorant than their contemporaries in England.<sup>78</sup>

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<sup>76</sup>Mason, I, v-vi, 51, 128, 256-257, 390-391, 426-427, 537, 611; II, 34, 122, 129, 172, 296, 338.

<sup>77</sup>Lecky, II, 504.

<sup>78</sup>Beckett, p. 183.

One of the obvious means of aiding the Irish destitute was a legal provision for the poor. Ireland had before her the example of England's Poor Law. The Irish Parliament might well have adopted a modified form of this provision as an expedient solution before the Union of 1800. After the Union, however, any Poor Law measure for Ireland had to have the support of the English. This support was not to be forthcoming for several decades.

After 1800 the Poor Law was in increasing disrepute, and it was subjected to severe criticism. The leading objection to the Poor Law in England was its rapidly rising cost. The annual expenditure by the local authorities on the destitute had risen from £1,000,000 in 1784 to £4,000,000 in 1803. It had mounted to nearly £8,000,000 in 1818.<sup>79</sup>

The last two decades of the eighteenth century had witnessed a softening of the administration of the Poor Law. Changes in the administration such as the subsidization of wages and humanitarian reforms resulted in the wide extension of poor relief to the able-bodied destitute.<sup>80</sup> Even before the great rise in the cost of poor relief consequent on this extension there had been a sharp assault on the Poor Law itself.

In 1786 the Reverend Joseph Townsend published a pamphlet attacking the Poor Law. His criticism rested on the belief that the evils of poor relief came from the law itself rather than from its misapplication and maladministration. Townsend felt that the Poor Law interfered with the laws of nature in providing paupers and the unemployed with the means of staying alive. This

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<sup>79</sup> Webb, Part II, I, 1-3.

<sup>80</sup> Ibid., Part I, pp. 422-423.

novel criticism presaged the views of the political economists Malthus and Ricardo. According to his biographer, Townsend was apparently the first to approximate the population thesis later developed by Malthus.<sup>81</sup>

The assault of Townsend on the Poor Law was not widely accepted. The rising costs of poor relief did result in criticism of the Poor Law, especially in the years after 1800. However, such critics as Samuel Whitbread, John Curwen and William Parker believed that the abuses of poor relief came from misapplication and maladministration of the Poor Law rather than from the law itself. Accordingly, they desired the reforming of its administration while leaving the legal right to relief intact.<sup>82</sup>

The defenders of the principles of the Poor Law in England were not willing to support the extension of the Poor Law to Ireland after 1800. In 1804 a Select Committee of Parliament investigated the condition of the Irish poor. Its membership included Sir John Newport and Samuel Wilberforce. The committee concluded that a general system of relief would be highly injurious to Ireland and would not even produce any real or permanent advantage to the poorer classes. It rejected a Poor Law "as likely, not only to be exceedingly oppressive to the landowner, but to aggravate the distress of those for whose relief they would be enacted."<sup>83</sup>

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<sup>81</sup> Joseph Townsend, A Dissertation on the Poor Laws . . . 1786 (London: Ridgways, 1817), pp. vii-viii; Thomas George Bonney, "Townsend, Joseph," D.N.B., XIX (1898-9), 1033-1034.

<sup>82</sup> Samuel Whitbread, Substance of a Speech on the Poor Laws . . . 1807 (London: J. Ridgway, 1807), pp. 10-12, 21-23; John C. Curwen, Observations on the State of Ireland (London: Baldwin, Cradock and Joy, 1818), I, 207; Parker, pp. 3-5.

<sup>83</sup> Three Reports from the Select Committee on the State of the Poor in Ireland (S.P. 1830, H.C. 667, VII), p. 150. This is a reprint of the Report of 1804; [Thomas Spring-Rice], "Proposed Introduction of Poor Laws into Ireland," Edinburgh Review, LIX (1834), 232-233; Whitbread, p. 3.

Thomas Spring-Rice wrote in 1834 that from 1804 to 1819 the question of the adoption of a general system of relief for the poor of Ireland, by a parish rate or any similar manner, had not been the subject of public discussion.<sup>84</sup> This seems to have been an accurate observation. There was occasional discussion of relieving the Irish poor but no proposal of a general system of relief during these years.

Sir John Newport introduced an Irish Poor Relief Bill in 1805 and 1806. Newport's proposal was only to extend the Irish statute of 1772 permitting grand juries to levy a sum of money on counties and towns to maintain houses of industry. His Bill would have given the grand juries the power to make up the deficiency in private subscription. Opponents argued against the element of compulsion in the Bill as bearing a resemblance to the English Poor Law. In 1806 the Act of 1772 was extended.<sup>85</sup>

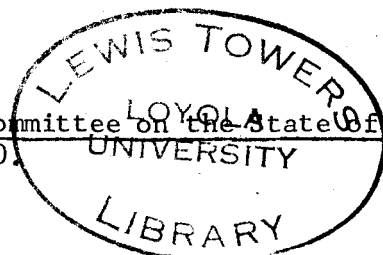
The extension of dispensaries for the sick poor had been enacted into law in 1805. The grand juries were empowered to raise sums of £100 for the support of fever hospitals in 1807. That same year the provision for public infirmaries was extended to cities and towns having local jurisdiction and the grand juries authorized to present sums of £500 over and above the former grants.<sup>86</sup> The Parliament was gradually giving the Irish poor a legal provision. Newport's lead was consequential.

In 1807 Samuel Whitbread, an early advocate of Poor Law reform, noted before Parliament that Malthus' work on population had worked a change of public

<sup>84</sup>[Spring-Rice], "Poor Laws," pp. 232-233.

<sup>85</sup>1 Parl. Deb., VII (1806), 842-843; Select Committee on the State of the Poor in Ireland (S.P. 1830, H.C. 667, VII), p. 30.

<sup>86</sup>Ibid., pp. 24-25, 27, 30.



opinion on the Poor Law. The permissive attitudes of the late eighteenth century had been reversed. Whitbread made it clear, however, that he rejected the plans of Arthur Young and Malthus. They had suggested the gradual abolition of the Poor Law.<sup>87</sup>

Whitbread's own solution was to exalt the working classes in the eyes of the community, to excite them to acquire property, to give them inviolable security for that property and to mitigate those restraints which confined and cramped their sphere of action. Furthermore, he would put the institution of relief on a more orderly footing and would "distinguish between your criminal and innocently necessitous poor."<sup>88</sup>

Whitbread's observations were directed to England but applied indirectly to Ireland. Whitbread was critical of the existing Poor Law administration and not likely to favor its adoption in Ireland. It is of note that Whitbread, like so many others, wished to return the administration of the Poor Law to its Elizabethan character where distinction had been made between the deserving and the undeserving poor.

The plight of the Irish poor was not completely lost sight of in the years after the passage of the Union although the prosperity from free trade in wheat with England and war prices did obscure it. Observations on the state of the poor would be found in the greatly increased statistical information on Ireland's economic and social state which was published in the first decades of the nineteenth century. Whereas Arthur Young had written the only widely known scientific account of social and economic matters in the eighteenth century,

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<sup>87</sup> Whitbread, p. 3.

<sup>88</sup> Ibid., p. 3.

there were several after the Union. The works of Thomas Newenham and Edward Wakefield were two of the more important ones.

In 1805 Newenham published A Statistical and Historical Inquiry into the Progress and Magnitude of the Population of Ireland which concentrated on the most observable phenomenon of contemporary Ireland. He estimated her population as 5,400,000 and accused the friends of the Protestant ascendancy in Ireland of having concealed the fact of its population quadrupling in a century.<sup>89</sup> In A View of the Natural, Political and Commercial Circumstances of Ireland (1809) Newenham declared it his intention to inform England of her new partner in the United Kingdom and said that a "comprehensive and accurate knowledge" was necessary lest all suffer. He considered Ireland as more important than England's valuable Eastern possessions and insisted that promoting the prosperity of Ireland was to promote the prosperity of England.<sup>90</sup>

Writing in a period when optimism was possible, he recorded the promising events since 1780 and saw the Union as a continuation of that progress. Certainly, the change from grazing which resulted partially from Foster's corn bounties, brought considerable prosperity to Ireland. A chief result was a great population increase. The accompaniment of the increased value of agriculture and the increased population was a great increase in land rental. Newenham said that the rent of land was stable and even subject to decline

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<sup>89</sup> [Malthus], "Newenham and Others on the State of Ireland," Edinburgh Review, XII (1808), 337.

<sup>90</sup> Thomas Newenham, A View of the Natural, Political and Commercial Circumstances of Ireland (London: T. Cadell and W. Daniell, 1809), p. xii.

before 1782. After that time the rental more than doubled in all parts of Ireland and trebled where tillage most prevailed.<sup>91</sup>

Newenham claimed that the entire United Kingdom shared in the benefits of expanded tillage in Ireland. However, he did see some undesirable effects of a rural economy on Ireland's labor. In contrast to industrialized England the rural economy of Ireland resulted in a pattern of periodic idleness, little productive child labor and low productivity by the laborer.<sup>92</sup> While he did not see spectres in Ireland's future, his publications were harbingers of future problems. Coming as they did on the heels of Malthus' frightful conjecture, Newenham's works made the state of Ireland a source of serious concern in Great Britain.

In 1812 knowledge of Ireland was widened by Edward Wakefield's An Account of Ireland Statistical and Political. Wakefield's observations were significant especially for his attention to land rentals and to the tendency toward tiny subdivisions. Beyond this Wakefield advanced the popularity of another notion which Newenham had suggested. This notion was the belief that Ireland was poor and often subject to social disorder because of the penal laws and that her state could best be improved by giving full civil rights to the Catholics and modifying the title. Wakefield was critical of the monopoly of Protestants in Irish life. He found that on "about nine hundred grand juries in Ireland, there are about eighty Catholics."<sup>93</sup>

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<sup>91</sup>Ibid., pp. 222-223, 231.

<sup>92</sup>Ibid.; Wakefield, I, 517. Wakefield cited Newenham's Population of Ireland.

<sup>93</sup>[James Mackintosh], "Wakefield's Ireland," Edinburgh Review, XX (1812), 350-351.

After Newenham's work of 1805 there was a constant concern with the population of Ireland and the discrimination against the Catholics.<sup>94</sup> One popular view was that Parliament could relieve Irish distress and disaffection by Catholic emancipation. Malthus wrote that Catholic emancipation was the first step in ending the moral and political degradation of the masses of the Irish poor. According to him, this degradation "had been the chief instrument in producing the peculiar ignorance and poverty of the lower classes of the Irish." He concluded that in order to end poverty reforms must begin at ending political debasement and that to begin with curing poverty was to begin at the wrong end.<sup>95</sup>

Thomas Robert Malthus bore witness to the landmark achievement of Newenham in informing British public opinion as to the condition of Ireland. Malthus' praise was given in the wake of the Catholic petition of 1808. He stressed the need for the education of the public on the subject of Ireland if terrible consequences were to be avoided. He felt that Newenham had done a good service by revealing Ireland as she was. Through Newenham's evidence Malthus sifted out as the interrelated causes of the population explosion in Ireland, the severity of the penal code and the introduction of the potato.<sup>96</sup>

Many authors would emulate the statistical work of Newenham in the years immediately after his own publications. While the state of the poor made up only a small portion of the information gathered, the issue of Irish destitution is seen there in the true perspective of the time. That is, poverty was

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<sup>94</sup> Edinburgh Review, XXXIV (1820), 320-338; XXXVII (1822), 60-109; XLI (1825), 356-410.

<sup>95</sup> Malthus, "Newenham," pp. 348-349, 353-354.

<sup>96</sup> Ibid., pp. 337, 354-355.



not generally viewed as separate from the complex of problems which constituted the state of Ireland. By the 1820's Irish poverty would be subjected to special attention in partial and artificial isolation from other Irish problems.

Edward Wakefield listed other authors who were doing or had done research of a somewhat statistical character about Ireland.<sup>97</sup> In their observations the average wage paid to laborers and the extent of the educational establishment, among many other social and economic facts about the state of Ireland, can be found. From such statistics the low standard of living in Ireland was made quite evident. It is in this regard that such information contributed to the perception of Irish poverty in Great Britain.<sup>98</sup>

One of those who surveyed Ireland was William Shaw Mason. He was well aware of the fact that his work was part of a wider movement to acquire adequate information on the state of Ireland. Mason attempted a parochial survey of Ireland and succeeded in publishing three volumes 1814-1819. His project was admittedly modeled on the work of John Sinclair for Scotland. Mason said that a statistical survey for Ireland had been attempted by the Dublin Society in 1773 and likewise by the Royal Irish Academy in 1797 but that both had failed.<sup>99</sup>

Actually the efforts of the Dublin Society, which had been founded in 1731 as a society for the promotion of husbandry, were not a complete failure. From the initiative of the Dublin Society and with support from the Parliament came several county surveys. These included: Armagh, Cavan, Clare, Cork, Donegal, Down, Dublin, Kildare, Kilkenny, King's County, Leitrim, Londonderry,

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<sup>97</sup> Wakefield, I, xvi.

<sup>98</sup> George O'Brien, The Economic History of Ireland from the Union to the Famine (New York: Longmans, Green and Co., 1921), pp. 17-18.

<sup>99</sup> Mason, pp. vi, xiv.

Mayo, Meath, Monaghan, Queen's County, Sligo, Tyrone, Wexford, Wicklow.<sup>100</sup> The surveys by the Dublin Society were not uniform in character or quality.

The one for County Wicklow gives information on the varying wage scale and the reasons for the variations, land rentals, and the quantity of available food for the poor and its price. It recorded that in 1800 the price of food of the poor, that is, potatoes, was enormous and that for the relief of the poor the gentry purchased much food and resold it at a considerable loss, and in many cases gave away provisions to a great amount.

The author of the Wicklow survey, Robert Frazer, who had completed similar surveys in England, wrote that Lord Fitzwilliam supported 800 persons during the whole period of scarcity. Frazer expressed concern about the pauperization of the laborers because of low wages. While respecting the charity of the gentlemen of Wicklow, he urged that they keep in mind the dictum of Adam Smith regarding the wage scale; that is, "the joint labor of the man and woman should produce something more than what is precisely necessary for their support."<sup>101</sup>

Returning to the work of Mason, he was employed by the government to analyze the returns of a census of Ireland begun in 1813. The census was a failure due to the lack of cooperation of the grand juries. These had been assigned the task of administering the census. Another reason for the failure was the suspicion and antipathy of the Catholic peasantry.<sup>102</sup>

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<sup>100</sup> Wakefield, I, xvi.

<sup>101</sup> Robert Fraser, General View . . . of the County Wicklow (Dublin: Graisberry and Campbell, 1801), pp. 54-56, 93-94, 102-103, 246.

<sup>102</sup> P. Frogatt, "The Census in Ireland of 1813-15," Irish Historical Studies, XIV (1965), 227-229, 234.

While waiting for the outcome of the Census of 1813 Mason began his own limited statistical survey. By 1816 he had surveyed fifty-four parishes, or a little over two per cent of the total, in Ireland representing all four provinces and twenty-three of the thirty-two counties. It was based on the communications of clergymen to Mason. There was only general uniformity in the information and, therefore, little possibility of reducing it to a statistical abstract. There was only very small space devoted to the plight of the poor but considerable space to the general state of Ireland. The vast majority of the clergymen wrote of social affairs in a spirit of moderate optimism. There was evidence of considerable interest in a medical provision for the poor. Under the Act of 1805 which made provision for the creation of dispensaries, several had been established and others were contemplated in the parishes under survey.<sup>103</sup>

While Mason's work was of limited value in recreating the problem of Irish destitution, it does balance the vivid and appalling descriptions of Irish lower class society found in Wakefield and other writers.

Some writings which emphasized extreme examples of poverty in Ireland were used as propaganda weapons. Such accounts as Wakefield's were intended to drive the government into passing reform legislation especially Catholic emancipation. Mason collected his evidence partly for Robert Peel and later in 1820 created a specialized library for Peel on the subject of Ireland.<sup>104</sup> Mason's evidence, therefore, was not intended to make a case for any particular

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<sup>103</sup> Mason, I, vi, xxxiii, 143, 426-427, 539; II, 34, 129, 296, 463.

<sup>104</sup> Norman Gash, Mr. Sec. Peel (Cambridge: Harvard University Press, 1961), p. 369.

reform but was intended to be primarily educational information. The same was true of the statistical surveys sponsored by the Dublin Society with government financial support.

It is certain that by 1815 there was a considerable body of literature on the state of Ireland much of which emphasized the critical nature of Irish problems such as poverty. In fact, the issue of poverty received increasing attention year by year after the Union. Writers such as Malthus, Wakefield and Cooper sought to affix the blame for this poverty and discerned many causes and "culprits" among which were: the Protestant Ascendancy, absentee landlords, tithes, land rental, penal laws, economic policies, grand jury jobbery and the potato. During these years and well into the 1830's the chief remedies sought by the Jeremiahs seeking Ireland's salvation were far removed from a provision for the poor. Poverty in Ireland was rather a stick with which to beat the government.

## CHAPTER II

### THE PROBLEM PERCEIVED, 1815-1827

Much public attention in Great Britain was focused on the Irish poor long before they obtained a legal provision. The development of this deep interest in the poor of Ireland was almost a discrete phenomenon from the proposals of remedies for Irish poverty. Logically, however, interest led to proposals. This British response took place against a bleak background. Irish poverty was heightened after the end of the Napoleonic wars and especially after the famines of 1817 and 1822. Her poverty was viewed by many in Great Britain as a prolonged crisis.

As the population of Ireland burgeoned in the first decades of the nineteenth century, the wretchedness of the Irish poorer classes became more aggravated. Since opportunities for employment in manufacturing in Ireland tended to contract rather than to expand, the great bulk of this population had to find a living on the land. The increased pressure for land drove up rents and led to an absolute increase in agrarian disturbances. Complete dependence on casual and seasonal labor and on the potato patch was true for a steadily increasing number of Ireland's rural population up to the Great Famine. The only hope seemed to lie in reversing the process of increased population, increased rental and increased subdivisions. Some drastic measures taken to accomplish this end were not in the interest of the poor. For example, some

"improving" landlords attempted to "clear" their estates (as the expression ran) of the smaller tenants.<sup>1</sup>

The British government had failed to evolve any comprehensive remedial policy for the critical poverty of Ireland. This was not because of a lack of interest in the unhealthy state of the Irish economy. Chapter I indicated the extent of such interest. The dilemma had been to decide on a course of action while in the midst of wars for survival. Renewed and increased attention was given to Irish affairs after 1815.<sup>2</sup>

Robert Peel, Chief Secretary for Ireland (1812-18), played a chief role in maintaining public interest in the state of Ireland before natural calamities brought it forceably before the public. When he gained his secretaryship, Peel threw himself into the job with customary zeal. Peel more than anyone else developed the power of that post to where it rivaled the Lord Lieutenant. He sought to bring justice to Ireland and was stern and fair enough by character to accomplish this end.<sup>3</sup>

The violence and crime which afflicted Irish society when Peel assumed office made any immediate attention to destitution in Ireland near impossible. The new Chief Secretary was faced with the break-down of justice and the existence of many illegal secret societies, variants of the Whiteboy terrorists of the eighteenth century. His response was to obtain the re-enactment of the Insurrection Act. The last Insurrection Act had been passed in 1807 during

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<sup>1</sup>R. B. McDowell, Public Opinion and Government Policy in Ireland, 1801-1846 (London: Faber and Faber, 1952), pp. 36-37; Beckett, pp. 292-293; Barbara M. Kerr, "Irish Seasonal Migration to Great Britain," Irish Historical Studies, III (1943), 366.

<sup>2</sup>Beckett, p. 293.

<sup>3</sup>Gash, pp. 223-224, 226, 230.

Arthur Wellesley's secretaryship but was repealed in 1810. The Insurrection Act gave the magistrates summary powers to arrest persons violating the curfew and to impound arms.<sup>4</sup>

Armed with this strong measure for maintaining peace and order, Peel sought positive means of aiding the Irish. An example was a scheme he brought forward in 1815 of assisted emigration to Canada in order to relieve the poor and aid Ireland in general. The cabinet rejected this. As fate would have it, Secretary Peel would be best known for his less positive efforts in establishing statutory police in Ireland and in opposing Catholic emancipation. Thus in 1816 he had had amended John Newport's motion for an inquiry into the state of Ireland in order to give the government the initiative in gathering information. Peel believed that the inquiry was really a political move directed at the Catholic problem.<sup>5</sup>

The Irish problem which attracted much attention in the post-war era was the Catholic problem. This ancient issue had been intentionally ignored by the Act of Union. Both Pitt and Grattan, from their separate vantage points, had failed to obtain the common objective of Catholic emancipation. After Grattan's petition in 1808 the question of emancipation was revived. Soon after, Daniel O'Connell became the moving force behind the movement for Catholic reform. In 1829 O'Connell would obtain Catholic emancipation. In the process he revived

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<sup>4</sup> Ibid., pp. 171-177. See Lecky, III, 450-451 for a description of the original Insurrection Act of 1796, "one of the most severe and comprehensive in Irish history."

<sup>5</sup> Beckett, p. 293; Gash, pp. 180-181, 197-199, 202-203. Pitt is less well known for his critical attitude toward the Irish gentry. Once he accused them of checking every public inquiry into the state of Ireland. See Parker, p. 18 and Frogatt, p. 229.

Irish national consciousness. After 1829 the growth of O'Connell's parliamentary following, his "tail" of Irish members, kept Irish problems a central feature in English politics.<sup>6</sup>

A revolution in transportation occurred soon after the Peace of 1815 which had very important consequences on the public interest in Ireland and her poor, in particular. In 1816 the steam packet between Ireland and Great Britain was inaugurated. The Irish laborer could now easily seek seasonal employment in Great Britain. It was the ease of transportation which brought the harsh reality of Ireland's special social and economic problems to the English doorstep. The transportation revolution resulted in social and economic pressures on British society. These brought men with greatly varying motives to demand that some Irish poor relief measures be taken by the government. These men demanded measures which would go beyond the traditional methods of relieving the Irish poor. Other men, however, who were appreciative of the new labor supply, became opposed to any Irish relief measure which might obstruct the free movement of Irish labor.<sup>7</sup>

The Irish migratory laborers were from the poorest classes, those men described by Wakefield as sending their wives and children to beg while they

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<sup>6</sup> Lawrence J. McCaffrey, Daniel O'Connell and the Repeal Year (Lexington: University of Kentucky Press, 1966), pp. 3-11; G.I.T. Machin, The Catholic Question in English Politics 1820 to 1830 (Oxford: Clarendon Press, 1964), pp. 1, 11.

<sup>7</sup> John C. Curwen, The Speech of J. C. Curwen . . . On a Motion for . . . Taking into Consideration the State of the Poor Laws (2d ed., London: n.p., 1816), p. 5; John Archer Jackson, The Irish in Britain (London: Routledge and Kegan Paul, 1963), p. xv; George Lewis, Report on the State of the Irish Poor in Great Britain (London: W. Clowes and Sons, 1835), pp. iv-viii; James O'Flynn, The Present State of the Irish Poor (London: Henry Hooper, 1835), pp. 24-26; Strickland, pp. 66-70, 83, 91, 96-97; Walsh, pp. 9, 101-102.



earned the rent for the family potato patch.<sup>8</sup> It was the presence of these miserable laborers in Great Britain which daily brought the problem of Irish poverty to the eyes of British society. Poverty in Ireland increasingly concerned the British after the Peace. Religious minded men, politicians and humanitarians of both nations confronted the problem with new energy if not with common direction. The motivations varied. Humanitarians such as Michael Sadler were dissatisfied with the traditional means of relieving the Irish poor and gave battle with the complacent politicians and fatalistic political economists.<sup>9</sup>

Politicians who were concerned about the migratory Irish laborers had another end in mind than relief of the Irish poor. They saw the probability of the Irish becoming an increasingly heavy burden to Great Britain, a threat to English labor and a source of social unrest. These fears produced a defensive reaction. This defensive attitude grew when the Irish migration began to increase as employment opportunities in both agriculture and industry beckoned to them.

There had been a large Irish community in London for a long time, but the new Irish immigrants invaded also the rural countryside and the industrialized districts in search of employment. By 1808 hostility toward the Irish was evidenced in the opening of Orange Lodges in several towns in Scotland and Lancashire.<sup>10</sup> In 1816 John Curwen observed in Parliament that in the north of England "great inconvenience is sustained by the influx of Irish and Scotch

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<sup>8</sup> Wakefield, II, 757-758.

<sup>9</sup> 2 Parl. Deb., II (1830), 1294-1323; M.E.S., "Sadler, Michael T.," D.N.B., XVII (1897), 595-596.

<sup>10</sup> Jackson, p. xv.

in search of employment: failing in this, they become a charge on the rates, and after forty days' residence are not removable."<sup>11</sup> Although he suggested the extent of the problem, Curwen was accused of defeating two bills for alleviating it. These bills had been intended to give the power to local overseers of the poor to remove any Irishman or Scotsman likely to become chargeable. Curwen found them unjust and oppressive in character.<sup>12</sup>

The problem of Irish migration continued to create fears in Great Britain. William Parker wrote of the Irish poor in English cities. He warned in 1816: "Unless some rational and effectual plan be devised for counteracting this evil, either by sending the country poor back again to their districts or by taking the City poor out of the Streets to asylums destined for their particular support, every public subscription will act as an attraction to bring mendicants and adventurers in numbers to town."<sup>13</sup>

As noted before, the steamship navigation between Ireland and Great Britain was inaugurated in 1816. Two years later the first steam packet began operation between Belfast and Glasgow. The influx of Irish to Great Britain was then greatly accelerated, and the fear of its consequences on Great Britain was also accelerated. The largest portion of this Irish migration was both temporary and seasonal. It was called "spalpeening," that is, migration to centers like Liverpool to earn the higher English wages or, if need be, to beg. The migrant then returned to Ireland with his accumulated savings. Three pounds was considered an average savings.<sup>14</sup> With "spalpeening" the poorest

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<sup>11</sup>Curwen, p. 5.

<sup>12</sup>Ibid., p. 5.

<sup>13</sup>Parker, pp. 126-127.

<sup>14</sup>O'Brien, p. 15.

small tenant would be able to pay his rent and arrive home in time to gather their potato harvest.

In the spring of 1820 a revealing debate took place in Parliament on the transportation of Irish paupers to Ireland. Henry Brooke Parnell stated that only one-fourth of the Irish paupers survived the combined hardships of corporal punishment and passage. Sturges Bourne then cited a recent act of Parliament which provided that Irish vagrants were to be passed to Ireland without punishment, a right not granted to English vagrants. Bourne contended that the blame for the high mortality lay in the fact that there was no official in Ireland to receive paupers on their arrival or to whom an order for removal to their native place could be directed.<sup>15</sup>

John Newport was unable to see any permanent remedy for Irish migration other than a solution which he considered worse than the problem, that is, the introduction of the Poor Law into Ireland. Newport did feel that some temporary measure was necessary which would not burden the Irish coastal area. Parnell demanded that the English Poor Law be amended so that transportation of Irish paupers to Ireland be discontinued.<sup>16</sup>

The Irish laborer might obtain settlement in Great Britain by service or holding tenements of a specified rent. Settlement was attained only by a few. Yet, powerful interests were resisting and seeking modification of the law of settlement. Those who found Irish laborers useful and economical naturally favored easing the conditions by which settlement was obtained.<sup>17</sup>

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<sup>15</sup> 2 Parl. Deb., I (1820), 885.

<sup>16</sup> Ibid., pp. 886, 1052.

<sup>17</sup> Webb, Part II, I, 39-43.

The Irish emigrant problem continued to worry many Englishmen. Concern about the effect of Irish laborers on poor rates was often intertwined with consideration of the welfare of the Irish poor. The attitude of a prestigious conservative periodical like Blackwood's Edinburgh Magazine was to hold the Irish landlords largely responsible for the problem of Irish migration.<sup>18</sup>

The responsible landed classes of England, unlike the political economists, refused to see anything pleasing in Irish labor entering the English labor market. Ireland was supposed to absorb her own labor. The English landed classes wanted a solution which made the Irish landlords shoulder the full responsibility of the Irish poor.<sup>19</sup>

Before the steamship travel had begun between Ireland and Great Britain and before the famines and fever epidemics, the poverty of Ireland had often been an issue with which liberals blasted the conservative government. Or, for purposes of argumentation Ireland was presented as an idyllic though poor land where the vices and decay of English society did not yet exist. The latter view was used by some reformers demanding changes in the English Poor Law.

In a speech before Parliament John Curwen, an advocate of Poor Law reform, was able to describe a trip to Ireland which he had made in 1816 in optimistic terms:

The Irish peasant . . . appears far superior to the unhappy victim of pauperism in this country. . . . I visited in a circuit of above a thousand miles in Ireland, hundreds of cabins, to assure myself of this

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<sup>18</sup>[Edwards], pp. 754-755.

<sup>19</sup>Ibid., pp. 754-756.

fact, and excepting in great towns, the result was almost universal.<sup>20</sup>

The self-sufficiency and the independence of the Irish peasant was attractive to critics of English Poor Law. The Irish peasant was favorably contrasted with the English pauper. Actually, Irish subsistence agriculture was being compared with English agriculture where day laborers predominated. Because of the potato the Irish land had been able to support a constantly increasing peasant population.

The optimism of Curwen was to be undermined in the years that followed. The regional famines and the associated fever epidemics which occurred in 1816 revealed how frail the self-sufficiency and independence of the Irish peasant was. William Carleton said that Ireland in 1816 "might be compared to one vast lazarus-house." Much later his book on the famines, Black Prophet, published in 1847, was widely read and made a deep impression in England.<sup>21</sup>

In 1817 the wet autumn hurt the harvest and limited the cutting of peat. The scarcity of food and fuel which followed affected nearly the whole population. In the winter typhoid fever swept over Ireland. Sixteen hundred died in the Dublin hospitals alone. Of course, most sufferers never got into a hospital. The rural people received little advice or medical assistance, and mortality was very high. Beggars spread the fever from house to house.<sup>22</sup>

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<sup>20</sup>Curwen, "Speech of J. C. Curwen . . . On a Motion . . . To Take into Consideration the Poor Laws," The Pamphleteer (London: n.p., 1817), X, 55.

<sup>21</sup>James Carty (ed.), Ireland from Grattan's Parliament to the Great Famine (1783-1850) (5th ed., Dublin: C. J. Fallon, 1966), pp. 158-162. A long selection from the Black Prophet is quoted; George Barnett Smith, "Carleton, William," D.N.B., III (1886-7), 1006-1007.

<sup>22</sup>John Mogeey, "Social Relations in Rural Society," Ulster Since 1800: Second Series: A Social Survey (London: British Broadcasting Company, 1958), pp. 71-72.

The government showed its concern for the sick and destitute. Robert Peel, in particular, was active in the famine of 1817. His biographer wrote that he was "the one member of the Irish government who had penetrated any distance into the heart of Ireland's social and economic troubles." Peel had £37,000 distributed and procured biscuit for the poor to the value of £50,000. He proposed a non-partisan government commission for proper supervision of famine relief. While opposing additional public works to remedy unemployment, he was notable for gathering information and preventing jobbery both of which were invaluable to good government in Ireland.<sup>23</sup>

Famine in Ireland inevitably produced fever epidemics in Ireland. The epidemics were associated with the undernourishment and crowded housing of the poor. This was especially true in the towns where the poor were jammed into squalid housing.<sup>24</sup> The destitute gravitated to the towns for the alms to be found there. Evictions and clearances caused an increased flow to the towns. The improvement of housing in matters of sanitation would not be accomplished until after the great famine.<sup>25</sup> The response of communities to fever condition varied; some created fever hospitals or dispensaries for the poor, and others sought to improve sanitation in housing.

Parliament had created a Select Committee to investigate into the state of disease in Ireland in 1817. Sir John Newport asked for a revival of such a committee in 1819. While praising the works done, he demanded more investigation. According to him, 43,000 patients had been admitted to the fever

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<sup>23</sup>Gash, pp. 223-224, 226.

<sup>24</sup>Wakefield, II, 789-790; Elizabeth Fry and Joseph Gurney, Report Addressed to Lord Wellesley (Cornhill: John and Arthur Arch, 1827), pp. 52, 69.

<sup>25</sup>Emrys Jones, "Belfast," Ulster Since 1800, p. 95.

hospitals in the counties of Dublin, Cork, Limerick and Waterford during the last fifteen months. He moved for the creation of a committee to inquire "as to the state of the laboring poor, and the means of enabling individuals to provide employment for them."<sup>26</sup>

The typhoid fever epidemic conditions caused the House of Commons to appoint in 1819 a Select Committee to investigate both disease and the condition of the working poor. The Select Committee's purpose was to discover how far the remedial and preventive measures of Parliament had been effective in stemming the epidemic and to facilitate the application of private charity to the relief of the poor. The Committee produced two reports that same year. The evidence was presented province by province, a method which permitted some insight into regional problems.<sup>27</sup>

In Munster, the report stated, a chief problem had been that numerous wandering beggars spread the contagion. The Committee concluded that stopping this would be ticklish. Hoping to avoid an Irish Poor Law, the Committee recommended that the magistracy exercise its power and that voluntary contributions provide for the expense incurred. All health measures were then maintained by voluntary contributions. The Committee found that the fever struck especially the poor. The famished condition of the poor increased the mortality rate. Waterford was the first place in Munster to establish a hospital exclusively for fever patients.<sup>28</sup>

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<sup>26</sup> 1 Parl. Deb., XXXIX (1819), 1427-1429.

<sup>27</sup> First Report from the Select Committee on the State of Disease, and Condition of the Labouring Poor in Ireland (S.P. 1819, H.C. 314, VIII), p. 365; Second Report (S.P. 1819, H.C. 409, VII), p. 457.

<sup>28</sup> First Report, pp. 3, 5-6, 11-12.

The epidemic had also struck Connaught in 1819. In this poorer province slightly more government aid was expended than elsewhere. With grants of £200 and £150 and grand jury assessments, temporary fever hospitals were established at Ennis and Galway, respectively. Dispensaries were created in many places, and the government made grants for food.<sup>29</sup>

In more prosperous Ulster and populous Leinster the beggars were also effective in the spread of typhus. The soup kitchens of Armagh attracted these beggars while that town had little provision for fever cases and no board of health. In Wicklow and other towns of Leinster the upper classes raised subscriptions and formed committees for the relief of the poor. Prompt government assistance carried these benevolent intentions into effect. Fever hospitals were established; aid was given in homes; money and provisions were given to convalescents; cabins were fumigated; and beggars were driven off. Yet, the typhus was only checked not suppressed. Sympathy for beggars prevailed even when the harboring of them was denounced by prominent Catholic clergymen.<sup>30</sup>

The Select Committee stated that the fever had been endemic in the counties of Carlow, Kilkenny, Queens and Kildare for a long time, and severe epidemics followed bad harvest years. The conclusion reached by the Committee from the evidence was that a recurrence of the epidemic could be prevented only if and when the condition of the people was bettered and pauperism and mendicancy diminished. Its positive suggestions were the creation of: local societies to relieve the poor everywhere and to disclose the needs of the poor and cases of typhus, temporary fever hospitals and a central information center.

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<sup>29</sup> Ibid., pp. 43-46.

<sup>30</sup> Ibid., pp. 59-63, 70-71.



The central information center was intended to work out emergency plans for preventing congestion in towns during periods of distress.<sup>31</sup>

The vivid descriptions of the poor caring for the infected, and the crude attempts at isolating the victims in outbuildings and even in makeshift covered ditches in the Report provided material for many later pamphleteers. The Select Committee included Sir John Newport in its membership.<sup>32</sup>

The Committee believed that local boards of health would work in some areas like Wexford, Tullamore and Portarlinton but not in backward ones. For the latter the Committee suggested voluntary associations for the relief of the poor. It felt that this approach would have the good effect of extending ties between the classes and would not need subordinate officials. Agreement was also reached as to the advisability of creating a central board of health in Dublin for efficiency in giving advice and assistance. The Committee expected that a central board might also lay the foundation for a useful "medical police," meaning perhaps health inspectors or quarantine officials.<sup>33</sup>

The Committee explained its preference for temporary over permanent fever hospitals. The former were favored because it was believed that a multiplication of hospitals would afford the rich with an excuse for neglecting the indigent sick. Also, these institutions would make the poor less provident and weaken further the spirit of independence among the poor, thus creating permanent expense to meet an occasional evil.<sup>34</sup>

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<sup>31</sup>Ibid., pp. 72-73, 80-81.

<sup>32</sup>Ibid.; George F. R. Barker, "Newport, Sir John," D.N.B., XIV (1894-5), 358. Newport demanded and obtained inquiries into the state of Ireland in 1804, 1816 and 1819.

<sup>33</sup>First Report, p. 81.

<sup>34</sup>Ibid., p. 81.

A succinct statement of the conclusions of the Select Committee was given to the Parliament by Sir John Newport. He cautioned, "that for the evils of mendicancy and vagrancy existing in Ireland, it was very difficult to devise any remedy that would not lead, in its consequences, to the establishment of a system of Poor Laws, producing in a country like Ireland, incalculable evils to every class of the community."<sup>35</sup>

The acknowledgement of the dangers of hasty action was often taken as sufficient reason for not acting at all. Parliament could leave the fate of the Irish poor in the hands of private charity and local public relief institutions. These had been the time-tested means of relieving the destitute. Yet, it was doubtful that such means could bear the heavier burden of destitution which followed the end of the Napoleonic Wars. The most important existing institution of poor relief in Ireland, the Dublin House of Industry, actually had its relief functions curtailed after the Peace.

In 1816 Robert Peel, Chief Secretary for Ireland, told the governors of the House of Industry that he opposed the extension of its relief. The Dublin institution had had plans of constructing similar houses of industry in different parts of Ireland. Peel was chiefly concerned about economy rather than poor relief. For example, he suggested that the Dublin House of Industry no longer follow a policy of indiscriminate admission. According to Peel, the space then available would provide relief immediately, whereas building would take time and give no quick relief.<sup>36</sup>

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<sup>35</sup> [Spring-Rice], p. 233; 2 Parl. Deb., I (1820), 886.

<sup>36</sup> Report of the Commissioners Appointed by the Lord Lieutenant of Ireland to Inspect the House of Industry (S.P. 1820, H.C. 84, VIII), pp. 4, 19.

After 1816 the Dublin institution limited its admissions and followed a preferential policy in this order: the infirm and aged, the chronically ill, the orphans, and the insane. This new policy worked a revolution by converting the House of Industry into a great hospital.<sup>37</sup> This change obviously did not benefit the able-bodied destitute; instead, it worsened their dilemma by removing from grasp the small amount of relief provided by the Dublin institution.

Peel had not wished to eliminate the mendicant from the House of Industry. In fact, what he wished was that the House abandon the practice of compelling beggars to enter and instead, insist on as much work from those who entered voluntarily as was consistent with their health. Peel thought that the able-bodied were worthy objects of compassion, but he demanded their subsistence even though the product of their labor was unimportant.<sup>38</sup>

By 1820 Commissioners inspecting the Dublin institution found the able-bodied destitute effectively excluded from admission. They reported the total failure of the House to suppress mendicity. They considered that this had happened because Peel had detoured the institution from one of the original objects of its foundation.<sup>39</sup>

The Commissioners of 1820 had their own ideas concerning the operation of the House of Industry. Their restriction of the Dublin institution differed from Peel's. They proposed that the House confine its admission to local residents only. The Commissioners' stated purpose was to make the House auxiliary to the efforts of all the charity associations of Dublin. Thus, they were

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<sup>37</sup> Ibid., pp. 4, 7, 15.

<sup>38</sup> Ibid., pp. 20-21.

<sup>39</sup> Ibid., p. 5.

concerned that the House of Industry not attract numbers of country beggars to Dublin. Such a development would make the work of the charity associations impossible.<sup>40</sup>

The Commissioners would localize the Dublin institution without a word about creating new houses of industry to fill the void this action would create, since the Dublin institution, in their own words, had "assumed the character of a national establishment." The Commissioners found that from 1769 to 1813 a third of a million poor had been admitted to the House and that without its relief many would have perished from hunger.<sup>41</sup>

Although the dietary of the House of Industry was reduced shortly after 1800, the Committee for the Suppression of Mendicity urged in 1819 that even greater economy be pursued and that paupers receive support inferior to the independent poor. This committee represented the Mendicity Association and was not connected with the Dublin House of Industry. The Parliamentary Commission of 1820 was critical of the Mendicity Association for putting mendicants to work at unproductive labor.<sup>42</sup>

The Commissioners requested that the able-bodied destitute not be admitted to the House of Industry. Furthermore, they believed that charitable efforts could and would perform the main work of poor relief. They felt that the government could best aid voluntary efforts by setting guidelines for relief by maintaining a model institution as an exemplar.<sup>43</sup> If the Dublin

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<sup>40</sup> Ibid., pp. 4, 7.

<sup>41</sup> Ibid., pp. 3, 14.

<sup>42</sup> Ibid., pp. 15, 46-47, 51.

<sup>43</sup> Ibid., pp. 4, 7-8.

institution developed as they had intended, it would have been a proto-type of the rigorous workhouse of George Nicholls.

Dublin poor did receive the benefits of a considerable number of charity associations and local public agencies. One traveler surveyed the relief institutions of Dublin in 1815 and compiled this list: the Foundling Hospital, Kilmainham Hospital for soldiers, St. Stephen's Hospital for the aged, St. Patrick's Hospital for lunatics, the Royal Military Infirmary, Mercer's Hospital, Meath's Hospital for the local sick poor, two fever hospitals, two Lock hospitals, two Magdalene asylums, the asylum for female orphans, the hospital for blind men, the hospital for the incurable, the House of Industry, several dispensaries and an institution for promoting vaccinations.<sup>44</sup>

Although some of these institutions were small, yet when the unorganized benevolence was included, a large amount of relief work was being conducted in Dublin. After the end of the Napoleonic Wars the need for poor relief increased, and it far exceeded the supply which was available.

The same shortage of poor relief affected all of Ireland after the Peace of 1815. William Parker, an important writer on the subject of Irish poverty, cited in 1816 the desperate need for relief in certain parishes near Cork while at the same time commending the important work of the charitable institutions of Cork. He concluded that attempts at checking mendicity had been unavailing because of the non-existence of a general penitentiary and workhouse.<sup>45</sup>

Parker expressed the belief that the wisest form of all charity was the relief of the indigent poor in their own houses. This slight expense would

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<sup>44</sup>Plumptre, pp. 42-44.

<sup>45</sup>Parker, pp. ix, 21.

prevent the necessity of maintaining many as inmates in asylums during periods of distress. He observed that the demands on private benevolence continued to mount while the resources remained limited. This was true because it was the middle class, a small class in Ireland, rather than the rich, who were charitable.<sup>46</sup>

Besides concern with private and local public charity, there was also an interest in the elimination of the causes of poverty in Ireland. The Church of Ireland and the landlords came under attack by some observers as causes of that poverty. Interestingly, these two interests frequently indicted each other in verbal exchanges in Parliament on the subject of the causes of Irish poverty. By the 1820's the criticism of the Church and the landlords had assumed the form it was to maintain for many years into the future.

One of the bitter themes in the history of the established Church of Ireland was the matter of tithes. This tithe collection of the Irish Church galled the Dissenters, the Catholics and even some members of the Church. It would be inconvenient to discuss how the Church frequently served as a whipping boy in the Parliamentary debates. It was a fact, however, that the Church was considered by many to be disadvantageous to the interest of the poor in Ireland, especially in the matter of its tithes.<sup>47</sup>

The tithes fell heavily on those least able to pay. In addition, the Church of Ireland performed minimal or no service to the bulk of the tithe payers, and the collection of tithes was highly visible and performed in an

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<sup>46</sup> Ibid., pp. 113, 139.

<sup>47</sup> Wakefield, pp. 483-489, 493-494.

irksome manner. For example, tithes were sometimes collected in the form of potatoes. The poorest, rack-rented tenant paid the tithe.<sup>48</sup>

The early summer of 1812 witnessed a heated discussion in Parliament of the tithes that were collected in potatoes. The Church was accused of inconsistency since this tithe was not collected in Connaught and only partially in Ulster. In the House of Lords it was suggested that it was necessary to exempt poverty from the tithe. A bill to eliminate the potato tithe was proposed. Its proponents contended that the bill was "for the relief of the poorest . . . class of persons in Ireland." The bill was to exempt those holding a half acre or less, that is, tenants who in England would be the objects of parochial relief. In the end the tithes were commuted, their incidence being obscured in the rent. Bishop Richard Woodward had advocated this solution in the eighteenth century.<sup>49</sup>

The Church was not alone in receiving severe criticism. The landlords came in for their share. Angry men in both England and Ireland who were antagonistic toward absentee Irish landlords saw to it that these received their indictment of guilt for abusing the poor. The landlord occupied a chief role in the history of the Irish poor. In the time of Burke it was largely for absenteeism that landlords were subjected to criticism and proposals of discriminatory legislation. By 1812 the grievances of the poorer tenants were directed to tenant right and the land laws rather than to absenteeism.<sup>50</sup>

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<sup>48</sup> 1 Parl. Deb., XXIII (1812), 744-745; Wakefield, II, 488.

<sup>49</sup> Ibid., pp. 744-745, 747, 943-948; Wakefield, II, 485.

<sup>50</sup> Mountifort Longfield, "Tenure of Land in Ireland," Systems of Land Tenure in Various Countries: A Series of Essays Published under the Sanction of the Cobden Club (London: Macmillan and Co., 1870), pp. 4-6, 9-16, 24-25.

Mountifort Longfield, the first to occupy the chair of political economy at the University of Dublin, stressed land tenure as a chief cause of differences between Ireland and England. According to him the peculiar land tenure of Ireland produced effects of great magnitude. In both Ireland and England the laws governing the relations between the landlords and the tenants had a feudal basis, but in Ireland there existed no bonds of loyalty and sympathy as in England, where religion and nationality were shared.<sup>51</sup>

Longfield argued that in Ireland parliamentary acts had intervened to overthrow the common law rights of tenants, for example, the law of distress. The force of this law for exacting rents was increased. It permitted the seizure of growing crops. He believed that the law of distress was unduly favorable to the landlords and that it was too often treated as an unalterable law of nature.<sup>52</sup>

Longfield considered that the law of distress had many injurious results. It caused the landlord to rely more on the extraordinary powers given to him by the law than on the character of the tenant or the liberal terms on which he set his land. The disinterest of the landed gentry in Ireland itself, as seen in widespread absenteeism and the careless creation of twenty shilling freeholders, permitted the rise of the middle class who exacted rackrent.<sup>53</sup>

Thus, much of Ireland's land came to be held under long leases by middlemen, often several levels deep with one middleman holding from another. Such was commonly the case by 1812, and neither the legal landlord nor the occupying

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<sup>51</sup>Ibid., p. 1.

<sup>52</sup>Ibid., p. 2.

<sup>53</sup>Ibid., pp. 3-4, 9-16.



tenant benefited from the working of this arrangement. Landlords had come to look upon the lease as unattractive. It prevented them from obtaining the benefit of a rise in prices, but it did not prevent them from suffering if they fell. Likewise, the occupying tenant suffered from abuses from which he could not receive any redress. Often the property of the tenant was dis-trained in consequence of the malfeasance of any of the intermediate middlemen under which he held it.<sup>54</sup>

Land tenure in Ireland was often a route by which tenants joined the ranks of the destitute. In 1812 Lord Stanhope, in reference to the law of distress, compared the state of the Irish peasantry to the train of sufferings of a slave and suggested a modification of that law. He proposed "that no remedy of distress should lie against any tenant but at the suit of his im-mediate lessor, saving the original lessor of the land" and that "whatever sum the tenant paid to the original lessor by distress, should be accounted as part payment to his immediate lessor."<sup>55</sup> This proposal failed, and so did a simi-lar measure advanced by Sir John Newport in 1813.<sup>56</sup>

Undoubtedly, the frequent failures to meet rent payments and subsequent "distresses" had a bad effect on the peasantry. The settlement of this issue was postponed. Interest in the supposed causes of poverty in Ireland such as tithes, tenant right and the land system increased during the following decades.

While there was interest focused on the relief of the poor and in the elimination of the supposed causes of poverty, there was attention also to the possibility of the Irish poor becoming a great liability to England. Those who

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<sup>54</sup> Ibid., pp. 4-5.

<sup>55</sup> 1 Parl. Deb., XXII (1812), 393-395.

<sup>56</sup> 1 Parl. Deb., XXVI (1813), 397-398.

noted the tremendous population growth of Ireland were aware of the difficulties this would create in the future. Robert Torrens, the political economist, feared what would happen when modern agriculture was introduced and the large labor force was unneeded. He foresaw that "unless some wise and energetic measures of prevention be adopted, Ireland, in advancing to wealth and prosperity, must necessarily pass through a period of extreme distress." Torrens saw Ireland in 1817 as similar in condition to Tudor England and warned against repeating the establishment of the Poor Law which he believed would perpetuate pauperism.<sup>57</sup>

The extent of Irish poverty was increased by the famine and epidemic in 1817 and more so in 1822. In the latter year there was an intense famine in Ireland. The wealthy of Ireland, in general, and the absentees, in particular, failed to provide adequately for the famine victims. Yet, in this crisis there was little talk of establishing a legal provision for the poor. Instead, it was believed by some that "until some system for giving permanent employment be provided, Ireland will never be permanently benefited."<sup>58</sup>

English generosity rose to the occasion in the famine of 1822 and relieved much of the misery. The work of an emergency charity organization created for the purpose of aiding the famine victims was notable. This organization was called the London Tavern Committee. A leading Whig, Thomas Spring-Rice, dominated this group. The strenuous efforts of the London Tavern

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<sup>57</sup>Torrens, pp. 526-527.

<sup>58</sup>"The Famine of 1822," Tracts on Ireland, Political and Statistical (Dublin: M. Staunton, 1824), pp. 117, 126-127, 129-131.

Committee to raise and manage contributions for the relief of the sufferers in 1822 was contrasted with the negligence of Irish absentees.<sup>59</sup>

The research of the Committee discovered that the suffering poor were almost wholly dependent for their subsistence on the bounty of the few noble-men and gentry who were resident in Ireland. One landlord wrote to the Committee that there was not a single resident gentleman in the parish and that, therefore, it had been impossible to collect any funds for poor relief.<sup>60</sup>

The significance of such evidence was that the English governing classes could and did contrast their own responsible behavior with the apathy and neglect of their Irish counterparts. The alienation of these two groups is seen in frequent bristling accusations and recriminations in the houses of Parliament. It would often be the desire to punish the Irish landlords as a class which would eventually cause British members of Parliament to advocate the introduction of the Poor Law into Ireland. It was felt that this measure would force the Irish landlords to bear the just social responsibility.<sup>61</sup>

The work of the London Tavern Committee was more closely allied with the arousal of concern with the welfare of the Irish poor than with any movement to relieve the poor by a legislative provision. The Committee proposed very general plans and suggestions for the relief of distress such as: improved

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<sup>59</sup> Hamilton, "Spring-Rice, Thomas," D.N.B., XVIII (1897-8), 835-837. He was considered the Parliamentary authority on Irish affairs and championed the opposition to O'Connell.

<sup>60</sup> Ibid.

<sup>61</sup> 2 Parl. Deb., XXIV (1830), 533; XXV (1830), 82; 3 Parl. Deb., II (1831), 682-684, 686; III (1831), 1387, 533-534.

employment, the use of loans rather than donations, reclamation of land, and education.<sup>62</sup>

In the famine year 1822 it was urged in the house of Lords by Lord Blesinton that the Irish poor were in need of employment not gratuitous food. He requested that £5,000,000 be appropriated for that purpose. Lord Blesinton argued that the extreme distress in Ireland had persisted for several years. As evidence he cited an appeal made in 1819 to the archbishop of Tuam for a subscription to defray the expense of a statue of George III. The archbishop had replied that he wished the money be applied to the relief of the starving in Ireland.<sup>63</sup>

During the same debate, Lord Grey of the Whig opposition criticized the government for not aiding Ireland and permitting the continued exportation of grain. Exportation of grain during a famine was reprehensible, but such activity was a frequent reality in Irish history. As Lord Blesinton noted of the victims of distress in Donegal, they did not lack food but the money to buy it.<sup>64</sup>

The Irish Poor Employment Bill brought forth in the House of Lords in May of 1822 received general approval because of the pressing circumstances. Lord Lansdown, a prominent Whig, stated that Ireland had suffered more than England in the distress arising from the change in the currency and the depressed value of agricultural produces. He pointed to legislative acts which revealed the peculiar position of Ireland, that is, the suspension of trial by

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<sup>62</sup> Report of the Committee of the Relief of the Distressed Districts in Ireland (London: William Phillips, 1823), pp. 88-90, 93-95, 97-98.

<sup>63</sup> 2 Parl. Deb., VII (1822), 473.

<sup>64</sup> Ibid., pp. 473-474.

jury and the delegation of arbitrary power to magistrates to appropriate money for food and the employment of the poor.<sup>65</sup>

As a member of the Whig opposition, Lord Lansdown called for an inquiry into the state of Ireland. He cited Ireland's continued poverty after the Union as grounds for an inquiry. He detailed the rapid population growth of Ireland. Lord Lansdown considered the population growth as the product of an evil political system. According to him, the evil stimulus had been the bestowal of the right to vote in Parliamentary elections to the forty shilling freeholder in Ireland. Vote competition had led to near infinite subletting, for example, the creation of ninety freeholders on one farm.<sup>66</sup>

This cause of population was not part of Malthus' hypothesis. However, modern demographers believe that subletting was one of the important causes of the population boom of Ireland because it encouraged the establishment of new households and thereby made early marriages possible.<sup>67</sup> In 1822 Francis Place stated that Ireland furnished proofs to refute all the anti-Malthusians and especially William Godwin who specifically denied that population pressed against the means of subsistence.<sup>68</sup>

Parliament did investigate the plight of Ireland through a Select Committee on the Employment of the Poor. The 1823 Report of the Committee recorded that the Irish distress of 1822 was unexampled. The Report said that

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<sup>65</sup> Ibid., pp. 725-728.

<sup>66</sup> Ibid., pp. 1046-1049.

<sup>67</sup> K. H. Connell, The Population of Ireland 1750-1845 (Oxford: Clarendon Press, 1950), p. 163.

<sup>68</sup> Francis Place, Illustrations and Proofs of the Principle of Population (London: Longman, Hurst, Rees, Orme and Brown, 1822), pp. 264-268.

the distress was met with the appropriation of large sums by the Parliament and private sources.<sup>69</sup>

The Committee found that one-half of the tilled soil was affected and that one-half of the people in the distressed districts were dependent on charity. It reported that the crop failure affected the potatoes but not the grain crops. In fact, prices remained moderate although food was actually exported from the distressed districts. The Committee contended that the calamity of 1822 stemmed less from the scarcity of food than from the lack of means to purchase it, in other words, from unemployment.<sup>70</sup>

The Select Committee said that those involved in disbursing relief favored creating employment even if it involved giving relief in exchange for task work. Thus, the government engineers, local relief associations and the London Tavern Committee opposed gratuitous poor relief. The Select Committee discerned a direct relationship between disturbances and unemployment. The causes that they considered to account for Irish unemployment were: the increase of population, the stimulus of the war, the political motivation in increasing the number of freeholders and subdividing holdings, and the increased rents.<sup>71</sup>

The Committee suggested that subdivision should be looked into further. It believed that the process of consolidating small farms in order to replace tillage with grazing would ultimately be advantageous to Ireland. The great

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<sup>69</sup> Report from the Select Committee on the Employment of the Poor in Ireland (S.P. 1823, H.C. 561, VI), p. 331.

<sup>70</sup> Ibid., pp. 3-4.

<sup>71</sup> Ibid., pp. 5-7, 19.

burden during this transition would fall on the dispossessed tenants. As the Committee saw it, it was the employment of these which constituted the crux of the problem of Ireland's poverty.<sup>72</sup>

The crisis of 1822 did not create a fatalistic attitude toward Irish poverty. Such a reaction might have been expected since the crisis bore out the predictions of Malthus. But, like Malthus himself, observers of the Irish scene were hopeful that the misery of poverty could be alleviated. For example, John O'Driscol noted, "We are no believers in the perfectability of the species; but we think that war . . . is likely to become expensive, unprofitable and infrequent; and that the collected experience of mankind may yet bring civil institutions to a state of great improvement, so as to diffuse quiet, security, and much happiness throughout society."<sup>73</sup>

O'Driscol envisioned many channels which might aid the Irish poor, such as manufacturing, emigration and commerce. He hoped that the food supply might be increased as the cultivation of the potato had increased it before. More perceptively, O'Driscol saw the implications of the large subscriptions in Great Britain for the relief of Irish distress in 1822. He saw them as heralding a new era in the history of Anglo-Irish relations in which prejudice was removed and the neglect and injustice of ages almost atoned for.<sup>74</sup>

Evidence before select committees of 1824 and 1825 corroborated the fact that the crisis of 1822 had marked a change in the relief of the poor in Ireland.

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<sup>72</sup> Ibid., p. 7.

<sup>73</sup> John O'Driscol, Views of Ireland, Moral, Political, and Religious (London: Longman, Hurst, Rees, Orme and Brown, 1823), I, 196-197.

<sup>74</sup> Ibid., pp. 198-199, 203, 314-316.

Local subscriptions had failed to provide for the poor. There had been more unemployment than in previous distresses. The landed gentry of Ireland either had been unequal to the task of relief or had failed to give as they might. To these committees the striking fact was the role of England in rescuing the Irish poor from their fate.<sup>75</sup>

The Edinburgh Review recognized the significance of the crisis of 1822. The usual approach of this magazine in reference to Ireland was historical cause and effect, and the special theme was often English misgovernment as the cause of existing problems in Ireland. This magazine noted in an article in 1825 that since the famine there had been a marked new interest in Ireland by English society. As examples it cited the successful visit of the King and the accounts of Irish affairs in newspapers. Newspapers were filled with stories of atrocities in the south, riotous acts of the Orangemen, the organization of the Catholic rent and the proceedings of the Catholic Association.<sup>76</sup>

The article then suggested the need for an inquiry and noted that forces in the government were sympathetic to such an idea. Lords Althorp and Wellesley were labeled as such. Lord Wellesley was cited as particularly interested in arresting the progress of pauperism. The article blamed the penal laws and the Protestant ascendancy for the state of Ireland.<sup>77</sup>

In 1821 Lord Wellesley, a supporter of Catholic emancipation, became Lord Lieutenant of Ireland. His appointment had many implications. One of

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<sup>75</sup>The Evidence Taken before the Select Committees of the Houses of Lords and Commons . . . 1824 and 1825 to Inquire into the State of Ireland (London: John Murray, 1825), pp. 93-95.

<sup>76</sup>[John McCulloch or Henry Parnell], "Ireland," Edinburgh Review XLI (1825), 356-360.

<sup>77</sup>Ibid., pp. 356-360.



these was that the government of Lord Liverpool was favorably inclined to remedy special Irish problems. Wellesley's tenure in office did not bear the expected fruits. His administration coincided with the rise to political power of Daniel O'Connell and was filled with factionalism. While Lord Wellesley suppressed stirrings of discontent with the re-enactment of the Insurrection Act and the suspension of the Habeas Corpus Act, he also organized an effective system of relief in the famine of 1822. He obtained a grant of £300,000 from the government and raised public subscriptions amounting to £350,000 in Ireland, to which he contributed £500.<sup>78</sup>

The government's interest in giving relief in 1822 led to the support of public works. These public works served the double end of giving employment to the poor and permanent capital improvements to Ireland. While this subject leads one away from the specific subject of the Irish poor, some details are relevant. One of the chief projects of Irish public works was reclaiming waste land and bogs. Land reclamation was intended to relieve the pressure of tenants bidding for lease-holds. K. H. Connell holds that peasants were the chief agents in land reclamation because it was the alternative to destitution. Be that as it may, the government spent £167,000 in reclaiming waste land in the western districts during 1822-28 under the direction of Alexander Nimmo.<sup>79</sup>

His reports and maps became part of a much larger enterprise. In 1824 a careful survey of Ireland was ordered. Major General Thomas Colby was selected to execute it. The survey was "intended to facilitate a general valuation

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<sup>78</sup> Alexander, John Arbuthnot, "Wellesley, Richard Colley, Marquis Wellesley," D.N.B., XX (1899), 1131-1132.

<sup>79</sup> Connell, "The Colonization of Waste Land in Ireland 1780-1845," The Economic History Review, 2nd Series, III (1950-1), 54-57; George Stronach, "Nimmo, Alexander," D.N.B., XIV (1894-5), 512.

of property throughout Ireland, with a view to secure a more equal distribution of local taxation." It began in 1825 and was completed in 1847 in time to serve as the basis for the Poor Law boundaries in detail, "determining the localities called electoral divisions, according to which the poor law assessment is made." The survey was conducted with a scientific precision unparalleled at the time.<sup>80</sup>

Lord Wellesley's administration witnessed the appearance of O'Connell's Catholic Association in 1823. The campaign for Catholic emancipation then began in full swing. In 1826 Thomas Wyse master-minded the overthrow of John Beresford by the forty shilling freeholders at Waterford. Daniel O'Connell followed by defeating William Vesey Fitzgerald at the Clare election of 1828. The government did not look kindly on these blows to the Protestant Ascendancy. The Chief Secretary, Henry Goulburn, and the Home Secretary, Peel, were opponents of Catholic claims. Wellesley resigned in 1828 when his brother became prime minister "pledged to a policy of distinct protestant ascendancy."<sup>81</sup>

As the excitement over Catholic Emancipation brought Ireland into the limelight, other Irish problems such as the state of the poor received due attention also. While the dirge of Irish poverty was an old and familiar one, it is no exaggeration that the state of the poor in Ireland worsened after 1815.

The wretched poverty normal to Ireland after the Peace was recorded in the descriptions of James Cropper, a leading philanthropist with plans for

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<sup>80</sup> Henry M. Chichester, "Colby, Thomas Frederick," D.N.B., IV (1887-8), 711-715.

<sup>81</sup> "Wyse, Sir Thomas," D.N.B., XXI (1900), 1187-1191. By omission the author is not given. J. H. Whyte, "The Age of Daniel O'Connell (1800-47)," The Course of Irish History (New York: Weybright and Talley, 1967), pp. 250-254; P. S. O'Hegarty, A History of Ireland under the Union 1801-1922 (London: Methuen and Co., 1952), p. 339.

aiding the Irish poor. Cropper noted in 1825 that the diet of the poor had declined. He found them consuming "lumpers," a potato of very inferior quality. On a much different plane, he claimed that there was more evidence of government coercion in Ireland than of attempts to give employment even while there were signs of peaceable and orderly conduct. He wrote that in a district under the Insurrection Act a Protestant minister lived with an unlocked door and collected tithes while having only nine families of Protestants in his parish.<sup>82</sup>

Coercion or conciliation of the Irish was a long debated issue in British policy toward Ireland. Many districts in Ireland were the scene of agrarian unrest and outrage. Under the laws, some of which dated to the Insurrection Act of 1796, these districts might be proclaimed, that is, be made subject to martial law, curfew and prohibition of public gatherings. The Parliament continued to pass temporary Coercion Acts during the nineteenth century. By 1847 eighteen Coercion Acts had been passed. Handling Irish disorder in this method disturbed many men who preferred preventive measures in place of the punitive ones.<sup>83</sup>

Cropper did not believe that Ireland was overpopulated or that government grants for road building were ineffective. Such a viewpoint would support poor relief in Ireland or, at least, programs to increase employment in Ireland. On the other hand, he presented a compassionate view of the landowners. The landowners were presented as victims of debt and the encumbrances on their

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<sup>82</sup>James Cropper, Present State of Ireland (Liverpool: George Smith, 1825), 7-10, 14-15. Edward Venables, "Cropper, James," D.N.B., V (1888), 208-209.

<sup>83</sup>O'Hegarty, p. 339. He quotes The Nation, April 25, 1846.

estates. According to him, many were unable to make improvements and were compelled to live as absentees. Cropper suggested that a solution would lie in letting the government lend to the straitened landowners loans at low interest to pay off their debts.<sup>84</sup>

The state of the Irish poor, especially after the crisis of 1822, continued to be an important subject apart from the reference to a specific remedy for Irish poverty. One of the most cogent writers on this matter was the Catholic bishop of Kildare and Leighlin, James Doyle. Under the pseudonym of "J.K.L." he published an influential pamphlet and countered the views of the very powerful Nassau Senior and Daniel O'Connell on the subject of poor relief.

Bishop Doyle had a very lucid vision of the problems besetting his Ireland, and he was able to put it into words. His polemical works and political writing exercised an enormous influence in their day. He was a champion of Catholic Emancipation from 1819 but also labored in the causes of education and poor relief. Doyle's Letters on the State of Ireland (1824, 1825) was eagerly read. It was persuasive defense of the Irish people and strong argument for the relief of the poor. Doyle saw the systems of government in Ireland as the source of her problems. To him improved legislation and a new system of government could cure the problem of Irish poverty by creating a greater demand for labor. To him the sad alternative was the people perishing by famine or emigrating. The return of violence and retaliation like under the Whiteboys was foreseen.<sup>85</sup>

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<sup>84</sup> Cropper, pp. 17-23, 31-32.

<sup>85</sup> [James Doyle], Letters on the State of Ireland Addressed by J.K.L. to a Friend in Ireland (Dublin: Richard Coyne, 1825), pp. 110, 112-113; Gordon Goodwin, "Doyle, James Warren," D.N.B., V (1888), 1316-1317.

The doctrine of the Malthusians affected Doyle's thought. However, he did not become a convinced disciple of Malthus. He contended that the imminent threat of overpopulation in Ireland could be averted:

Let the condition of the poor be altered; enable them to acquire a competency; give the parent some means of providing for his daughter; give to her a better education and a deeper sense, not of propriety alone, but of politeness and social decency, and you will delay marriage.<sup>86</sup>

A report of the House of Commons in 1827 cited the role of morals and early marriage on the growth of population in Ireland.<sup>87</sup>

Bishop Doyle was especially concerned about the role of education and its effects on the poor. He knew of complaints of proselytism in schools not intended to be of a sectarian character. As a result he strongly suggested that the funds necessary for the education of the poor in Ireland be only vested in commissioners possessing the confidence of the government and the people.<sup>88</sup>

In March of 1825 Bishop Doyle went to London to be examined by the Select Parliamentary Committees on the State of Ireland. The vivid descriptions of poverty and destitution which he gave impressed the Parliament, and he was called again to give evidence in 1830 and 1832. His testimony of 1825 indicated the widespread existence of bare subsistence potato agriculture which kept many of the poor a step away from destitution. The paralyzing poverty of the potato patch was the special feature of Ireland. Partial failure of the

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<sup>86</sup>[Doyle], p. 112.

<sup>87</sup>[William Tooke], "The State of Ireland," Westminster Review, VII (1826-7), 5-8, 34.

<sup>88</sup>[Doyle], pp. 120, 126, 139.

potato in 1817 and 1822 revealed how insecure were Ireland's poor, how close they were to destitution.<sup>89</sup>

Before the same Committee in 1825 Daniel O'Connell had indicated that not even one in twenty Irish laborers was employed and those only occasionally.<sup>90</sup> As subsistence potato agriculture fell short of the minimum requirements for life, occasional employment or begging was necessary to the poor. The number seeking employment in Ireland drove down wages until the day's wage was less than sufficient to buy a day's food. Under the circumstances of potato patch agriculture the law of supply and demand brought the wages to below the bare minimum, a contradiction to political economists.<sup>91</sup>

One reaction to this dilemma of unemployment was migration of labor to Great Britain. Naturally, this alarmed the friends of the English laborer. As the number of Irish migrants arriving in Great Britain increased, protective interests wished to end the labor competition of the Irish and they looked for any possible solution. Meanwhile, the Irish flood continued. The Scotsman of August 1827 reported that Irish arrived at Broomielaw in numbers of over a thousand each week. The Yorkshire Gazette of August 23, 1827, reported that a great number of Irish had entered the West Riding of Yorkshire.<sup>92</sup> The result was to increase pressure on the Parliament to find a solution to the problem of the Irish poor in Ireland.

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<sup>89</sup> Second Report of the Select Committee on the State of Ireland (S.P. 1825, H. C. 129, VIII), pp. 205-208.

<sup>90</sup> First Report, (S.P. 1825, H.C. 129, VIII), p. 50.

<sup>91</sup> O'Brien, pp. 17-18.

<sup>92</sup> Strickland, pp. 66-68.

One solution then attracted considerable support. It was the notion of reducing the redundant labor supply of Ireland and Great Britain by emigration to America. Emigration schemes, while not new themselves, received new attention. In 1826 and 1827 Parliament received Reports from Select Committees on Emigration. The chief stumbling block was the source of funds for organized emigration. The proponents found themselves debating the same alternatives which faced the advocates of poor relief in Ireland, that is, support by voluntary contributions or a national tax similar to the poor-rate in England.<sup>93</sup> Emigration continued to occupy Parliament's attention long after the introduction of the Poor Law to Ireland, but it did not effectively relieve the unemployment in Ireland before the Great Famine nor stop the labor migration to Great Britain.<sup>94</sup>

The dilemma of the legislator in dealing with Ireland was posed in the Westminster Review in 1827. How was the poverty of Ireland to be solved by anything less than drastic action since all lesser methods of relief applied up to that time had failed even to halt the progress of poverty? The boldest and most comprehensive plans which had been brought forward to solve the Irish problems fell lamentably short of "the social regeneration of Ireland." The writer in the Westminster Review believed that such regeneration would demand emigration, the establishment of a legal maintenance for the poor and the introduction of British capital. He felt that it would be difficult if not

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<sup>93</sup> First Report from the Select Committee on Emigration from the United Kingdom (S.P. 1826, H.C. 404, IV), pp. 3-4, 8, 11, 126, 131, 199.

<sup>94</sup> See Oliver MacDonagh, "Irish Emigration to the United States of America and the British Colonies during the Famine," in The Great Famine edited by R. Dudley Edwards and T. Desmond Williams (New York: New York University Press, 1957), pp. 319-387.

impossible to effect these under the present government. To remove the causes of famine and insurrection "it would be necessary to take much trouble, and to strip the Irish gentry of much power, which is not to be expected from a government constituted as ours is."<sup>95</sup>

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<sup>95</sup>[Tooke], pp. 35, 42.



### CHAPTER III

#### PROPOSALS AND MEASURES, 1815-1827

Concern for the Irish poor gradually produced concrete proposals for their relief. These proposals eventually bore fruit in statutory measures for poor relief, especially in the Irish Poor Law. The years between the Peace of 1815 and the fall of Lord Goderich's ministry at the end of 1827 mark a stage in the evolution of the British conclusions made about the Irish poor. The years beginning with 1828 saw a remarkable change of outlook and method in grappling with the problems of public order, poverty and local government.<sup>1</sup>

After 1815 many people in Great Britain continued to believe that with minimal direct aid, the poor could help themselves. Some people supported approaches to aiding the poor such as charitable loan associations and the extension of educational facilities. Others, however, felt that the above aids were insufficient to solve the problem of Irish poverty. They concluded that the government should help the poor to help themselves by legislating to ease the greatest causes of poverty. The favored legislation was public works which would employ the surplus labor of Ireland. Also, measures to bring capital to Ireland and to promote emigration were desired.

A smaller number of those concerned about the poor held a third conclusion as to what was needed to remedy poverty in Ireland. They came to hold that a drastic re-orientation of Ireland's economy and society was necessary and

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<sup>1</sup>David Thomson, England in the Nineteenth Century (1815-1914) (London: Penguin Book, 1950), pp. 63-71.

could be accomplished by a complete program of reform legislation. The decades after the passage of the Irish Poor Law would reveal growing sentiment in this direction. The Young Ireland group and agrarian radicals would favor such a drastic re-orientation. However, the concern would be largely with the poorer classes rather than with the destitute poor.<sup>2</sup>

The key proposal among the great range of proposals after 1815 was the introduction of a Poor Law into Ireland. Those people who would support the enactment of a statutory, public provision for the poor--a Poor Law--had rejected the view that with minimal aid the poor could help themselves. The supporters of a provision for the poor were divided, some favoring narrower government action, others maximum and far-reaching government action.<sup>3</sup>

Proponents of the introduction of the Poor Law to Ireland, even though in a modified form, were faced with a torrent of opposition. The English Poor Law received continuous criticism during this period. The critics abhorred the extension of the Poor Law system.<sup>4</sup>

While much of the discontent with the Poor Law was focused on the abuses of its administration, other critics went deeper. One leading criticism originated in a 1786 pamphlet by Rev. Joseph Townsend. This criticism rested on the belief that the evils of poor relief came from the Poor Law itself rather than from its misapplication and maladministration and the the Poor Law interfered with the laws of nature in providing paupers and the unemployed with the

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<sup>2</sup>Whyte, p. 262; Report from the Select Committee on the Employment of the Poor in Ireland (S.P. 1823, H.C. 561, VI), pp. 70-103, 156-158. This is the testimony of Robert Owen of New Lanark.

<sup>3</sup>McDowell, p. 38. In a footnote he cites several pamphlets suggesting an Irish Poor Law on the English model.

<sup>4</sup>Webb, Part II, I, 40-43.

means of staying alive.<sup>5</sup> Townsend was apparently the first to approximate the population thesis later elaborated and popularized by Malthus.<sup>6</sup> Early in his career Malthus had favored the abolition of the Poor Law, but later he revised his opinion and preferred the slow correction of its evils.<sup>7</sup>

If the advocates of a legal provision for the Irish poor labored under the burden of the pent-up criticism of the English Poor Law, they did not receive the treatment of other proposals which were utopian or theoretic. The Tory ministries of this period were unlikely to entertain a novel experiment in government or administration. They were less likely to approve an experiment if the proposal seemed theoretic or visionary. While important individuals were exceptionally interested in Robert Owen, Jeremy Bentham and their ideas, both Owens and Bentham found foreign societies more receptive to their ideas and innovations. Many of the proposals of schemes to remedy the poverty of Ireland were offered to a government which was very conservative and unfriendly to change.<sup>8</sup>

The conservative Parliament did not subscribe to the poor relief schemes of utopians and visionaries, but after the end of the Napoleonic wars it was somewhat more aware of the needs of the Irish poor. Constructive plans for Irish poor relief began to appear with greater frequency.

In 1816 William Parker proposed to Robert Peel, then Chief Secretary, a general system for the relief of the Irish poor. He pleaded that the magnitude

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<sup>5</sup> Joseph Townsend, A Dissertation on the Poor Laws . . . 1786 (London: Ridgways, 1817), pp. vii-viii.

<sup>6</sup> Thomas George Bonney, "Townsend, Joseph," D.N.B., XIX (1898-9), 1033-1934.

<sup>7</sup> Malthus, On Population, pp. 30-38. Cited are comments from the first edition of 1798.

<sup>8</sup> Webb, Part II, I, 44-45.

of the object and its probable expense not deter the economy-minded government from acting. Parker asked that asylums for the indigent, old, infirm and helpless be established wherever there were more than a hundred poor persons in a county or a parish. He suggested also that asylums for orphans and foundlings be attached to them.<sup>9</sup>

Parker considered it necessary to introduce the workhouse at the asylums although only on a small scale. The idle and disorderly and the mendicants could be sent there. With this provision indiscriminate alms could be stopped. Parker details his suggestion for indoor relief: separate quarters for women, a savings bank in each institution, the encouragement of friendly societies and the employment of the inmates. The subject of education was avoided because it might arouse controversy which would block the progress of a relief measure. Parker resolved the problem of administration by giving the final control over the asylum system to the grand juries and the immediate superintendence to the "most efficient and competent Clergymen."<sup>10</sup>

Parker referred to the somewhat similar proposal of John Curwen. Curwen had advocated "that the poor shall be supported by a Tax on property, and by a legal contribution among themselves . . . to give them a just and equitable claim to future relief in the time of distress, from that fund which they enlarged by their industry and labour."<sup>11</sup> The savings insurance idea was drawn from the practice of the army and navy and the friendly societies.

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<sup>9</sup>William Parker, pp. 5-6, 24.

<sup>10</sup>Ibid., pp. 35-36, 40-42, 25, 44-45.

<sup>11</sup>Ibid., p. 50.

The social philosophy of Curwen was that "property which arises from the labour and industry of man, should contribute to the relief of man, when afflicted with poverty, misfortune, or ill health."<sup>12</sup> A move to extend the property tax to Ireland had failed only the previous year. The character of Irish taxes, such as taxes on soap and distilled liquor, was particularly onerous to the poor and led to turbulence and disrespect for the law. Opposition to the property tax, for all of its social advantages, was great.<sup>13</sup>

William Parker pressed for his own proposal in the belief that Ireland was eventually to be fully integrated into the system of British law, finances, and administration. He reasoned, "as the revenues of Ireland are consolidated with Great Britain, the Imperial Legislature will disregard the alienation of three hundred thousand pounds of the Irish assessed taxes . . . to objects of such great national importance as the amelioration of the state of the Poor." He felt that his system would cost only one-eighth of England's, and he requested loans from the Bank of Ireland at a low rate of interest to erect asylums.<sup>14</sup>

It was foreseen by Parker that one hundred thousand or one-fiftieth of the population of Ireland might be admitted to the asylums. It was estimated that £1,000,000 would be sufficient to execute the plan if abuses were checked. The author completed his presentation by giving specific details on the proposed architecture of the institutions, their daily regime, and the work to be

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<sup>12</sup> Ibid., p. 51.

<sup>13</sup> 1 Parl. Deb., XXX (1815), 850-855, 870-871.

<sup>14</sup> Parker, pp. 69-70, 74-75.

performed by the inmates, namely: oakum picking, tree nurturing, and straw plating.<sup>15</sup>

Many who sought the reform of the English Poor Law put forward some of the ideas which Parker suggested be extended to Ireland. The distinguishing feature of Parker was certainly the desire to erect a new and adequate poor provision in Ireland. The reformers of the English Poor Law were just that--reformers. They sought to correct the evils of an existing system.

Many of those who were interested in the reform of the English Poor Law opposed its extension to Ireland. John Curwen, to whom Parker made reference, was interested in Irish poor relief but especially opposed to the extension of the Poor Law. Curwen suggested the creation of repositories where the work of the poor could be sold to augment their incomes. Also, additional employment and the postponement of marriage were proposed as remedies.<sup>16</sup>

Curwen represented those who believed in the advantages of the poor being kept self-reliant and independent. Any assistance was to be minimal, and misfortune of all sorts was to be foreseen and provided against by the poor themselves. He was more fearful of what direct relief would do to the character of the poor than to political economics in his opposition to government relief; the self-reliance and independence of the Irish might be undermined.<sup>17</sup>

He was joined in this anxiety by James Bicheno, a prominent pamphleteer who later served on the Irish Poor Law Commission under Archbishop Whately. Bicheno was convinced of the evil effects of the Poor Law on the poor. He held

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<sup>15</sup> Ibid., pp. 74-75, 77, 87.

<sup>16</sup> John Curwen, Observations on the State of Ireland (London: Baldwin Cradock and Joy, 1818), I, 233-234, II, 353.

<sup>17</sup> Ibid., p. 207.

that the Poor Law was wrong in principle yet believed that the machinery of the Poor Law could not be swept away without leaving aggravated miseries. Like Curwen he favored encouraging the self-reliance and independence of the poor. Bicheno was critical of all the usual aid to the poor, public and private. Aid which only served to maintain the poor in a dependent status was eschewed. He discerned errors in Christianity's attitude to the poor. In question was the sanction of Christianity to indiscriminate almsgiving. Bicheno published a refutation of the principles underlying the Christian charity of his day.<sup>18</sup>

He and Curwen represented the many humanitarians who, while interested in the state of the poor, preferred that the poor help themselves. They felt that the self-respect of the poor could be buttressed by savings banks and friendly societies. Curwen was opposed to abolishing the Poor Law system and attributed its evils to a failure to adhere strictly to the statute of 1601, especially in the practice of wage supplements. Curwen believed that savings banks and friendly societies were inadequate to handle the situation in Ireland because of the insufficiency of their funds.<sup>19</sup>

Savings banks were extremely popular in the first decades of the nineteenth century. Credit in initiating their work largely belonged to the Society for Bettering the Condition of the Poor. The advocates of savings banks hoped to relieve the poor indirectly. These institutions had been established in Dublin and Belfast by 1816 and were soon expected to be brought within the reach of every town and village. Those who held these hopes were critical of the Poor Law. George Rose, who had introduced a Bill for the

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<sup>18</sup>James E. Bicheno, An Inquiry into the Nature of Benevolence (London: Rowland Hunter, 1817), pp. 2, 10, 12, 16.

<sup>19</sup>Curwen, "Speech . . . to Take into Consideration the Poor Laws," pp. 57, 60, 63.

establishment of friendly societies among the wage-earners in 1793, was a friend of provision for the poor. He was critical of the Poor Law but absolutely opposed to abolishing it. Rather, he expected the savings banks to relieve the poor rates.<sup>20</sup>

Since the Poor Law was under obloquy after 1800, proposals more directly aimed at the problem of destitution than savings banks became rare during the long years of the Napoleonic wars. The end of these wars brought economic dislocation which caused a rising poor rate. The upshot of this was a long series of investigations and inquiries. However, since the Cabinet took no action, there was a minimum of legislative change. The inquiry which occupied the central position was the Select Committee of 1817 under the chairmanship of Sturges Bourne which investigated the rising poor rates. The evidence of the Committee accented the abuses of the English Poor Law administration.<sup>21</sup>

Ireland shared in the attentions of the Parliamentary inquiries and investigations after 1815. In 1817 a Select Committee considered the state of the insane poor, and there followed a real attempt by the government to alleviate their suffering through the construction of asylums. By 1827 seven, designed to accommodate over 800 patients, were built or being built.<sup>22</sup> The

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<sup>20</sup>[William Sidney Walker or Robert Lundie], "Tracts on Savings Banks," Quarterly Review, XVI (1816-7), 90-92, 95, 103, 106.

<sup>21</sup>Webb, Part II, I, 40-43. The 1817 inquiry was the result of a motion by John C. Curwen. The Webbs cited part of the host of published material on the Poor Law 1817-18. One measure resulting from this inquiry (59 George III c. 12, 1819) enabled parishes to remove to Ireland any Irish pauper applying for relief. This measure had the double consequence of increasing poor rates (the opposite of its intended purpose) and increasing the suffering of the Irish paupers.

<sup>22</sup>Report of the Select Committee on the Lunatic Poor in Ireland (S.P. 1817, H.C. 430, VIII), p. 55; Report of the Select Committee on the State of the Poor in Ireland (S.P. 1830, H.C. 173, VII), p. 29.



medical provision for the poor in Ireland which consisted of infirmaries, fever hospitals and dispensaries was extended. Fourteen fever hospitals were established in the decade of the 1817 epidemic and ten more in the 1820's. Although fever hospitals after 1818 qualified for grants according to the amount of private subscriptions they attracted, they did not flourish where the landlords were not resident. The medical provision of Ireland was inferior to that of England according to the evidence of historical research.<sup>23</sup>

In 1819 a Select Committee under the chairmanship of John Newport, an outstanding Whig, investigated the condition of the Irish poor in connection with the problem of disease. The Committee failed to come up with any solution to the evils of mendicancy because they were admittedly afraid of reproducing the Poor Law. It did discover how effective the emergency relief measures of 1817 had been and what problems were involved in the prevention of disease. The extreme poverty of many Irish and the resultant mendicancy were deemed insuperable obstacles to the eradication of fever.<sup>24</sup>

If it was considered unwise to have Parliament extend its hand to curb mendicancy, what was Parliament to do for the welfare of Ireland? One popular suggestion was that the government support the cause of education in Ireland. This would supposedly reduce poverty caused by unemployment.<sup>25</sup> The obstacle to the extension of education in Ireland was sectarian animosities. Much educational activity was sponsored by religious groups. As "godless" education

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<sup>23</sup>Connell, Population of Ireland, pp. 203-205; John Watson Stewart, Watson's or the Gentleman's and Citizen's Almanack (Dublin: C. Hope, 1833), pp. 183-184. There were ten asylums by 1833.

<sup>24</sup>First Report from the Select Committee on the State of Disease and Condition of the Labouring Poor (S.P. 1819, H.C. 314, VIII), pp. 24, 80-81.

<sup>25</sup>[Doyle], p. 120; Fry and Gurney, pp. 85-87; Considerations on the Present State of Ireland (London: R. and A. Taylor, 1822), pp. 34-36, 38.

was decried by many of these, government-supported schools were caught up in a dilemma over religious teaching. Like Great Britain, the history of public education in Ireland in the nineteenth century was to reveal clearly the near-impossibility of satisfying all the sects in the matter of legislation on education.<sup>26</sup>

If both elimination of mendicancy and aid to education were roads beset with considerable obstacles, stopgap solutions were more easy to implement. A temporary aid like the appropriation of money for employing the poor on public works in Ireland was helpful even though it failed to touch the causes of poverty. Perhaps the facility with which such appropriations postponed a more permanent settlement of the state of Ireland made them attractive. It is certain that men who were sincerely concerned about the welfare of the poor often supported bills for the employment of the poor.<sup>27</sup>

Some reform in this type of aid was suggested in 1822. Henry Goulburn, Chief Secretary of Ireland, requested that monies set aside to employ the poor, be spent by the Irish government rather than turned over to local authorities. Goulburn favored giving the Lord Lieutenant direction over road construction projects. At this time others in Parliament urged the measure for employing the poor be made permanent.<sup>28</sup>

A good case for introducing the Poor Law to Ireland was made in 1822 by Michael Nolan in Parliament. He was a celebrity in the legal world who

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<sup>26</sup> Lecky, I, 232-238; [Doyle], pp. 120, 126, 139; "Thomas Wyse," pp. 1189-1190. Wyse was noted for the extension of popular education in Ireland; Mason, II, 463. Mason's work shows that concern with education in Ireland was very common among clergymen; Parker, p. 25.

<sup>27</sup> Fry and Gurney, pp. 55; [Doyle], pp. 52, 54; Cropper, pp. 22-23.

<sup>28</sup> 2 Parl. Deb., VII (1822), 670, 698-701, 1265.

introduced Poor Law reform bills in 1822, 1823, and 1824.<sup>29</sup> Nolan noted that the English laborer with the full Poor Law was better off than the Scottish laborer with the partial Poor Law. While insisting that he would not push the comparison beyond fair limits as concerned Ireland, because her distressed position was not entirely owing to the lack of a Poor Law, Nolan did state:

There are some calamities which have recently fallen upon that fine country which a moderate poor-rate might have averted. . . . If some provision must be made against such occasional visitations, I prefer that of a moderate parochial rate, to one which is to be furnished by the king's government.<sup>30</sup>

He was strongly influenced by the potato famines of 1816 and 1822 in which government aid saved the lives of many. The insufficiency of voluntary charity was then made clear. Parochial relief was preferred because it supposedly contained economic checks not present in a national provision. Ideally, parochial administration would tend toward frugality and eliminate fraud.<sup>31</sup> Actually, the opposite had occurred in England.

Parliament received several petitions for the establishment of a Poor Law in Ireland in 1822. Amidst the presentation of these petitions, Hudson Gurney declared, "Unless there was . . . a localized provision for the sustenance of the poor, under the pressure of circumstances, the state of Ireland could never be other than it is--a perpetual recurrence of misery and insurrection."

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<sup>29</sup>James McMullen Rigg, "Nolan, Michael," D.N.B., XIV (1894-5), 542.

<sup>30</sup>2 Parl. Deb., VII (1822), 1566.

<sup>31</sup>2 Parl Deb., VII (1822), 1566-1567.

This argument was disputed by Thomas Spring-Rice and Joseph Hume, the Radical leader.<sup>32</sup>

There was much talk about parochial relief of the poor in Ireland at this time. The talk often centered around the issue of whether parochial relief should rest on a voluntary poor rate or compulsory assessment. The resolution of this issue was in turn dependent on one's view of the legal right of the poor to parochial relief.<sup>33</sup>

The discussion of parochial relief was heightened by the role played by Thomas Chalmers. As an extremely popular Presbyterian preacher, he embarked in 1820 on an experiment in parish relief at St. John's of Glasgow. Relief expenditures in the parish, which was the largest and the poorest, were reduced from £1,400 to £280 annually while the comforts and the morality of the poor were visibly improved. The success of Chalmers' paupers scheme was widely publicized. Also publicized was Chalmers' opposition to giving the poor a legal right to parochial relief and to compulsory assessment for the poor. In the Edinburgh Review and in voluminous writings he expounded his preference for the voluntary poor rate of the old Scotch Poor Law as best supporting the spirit of independence in the poor. Chalmers' views were influential with Englishmen of high position such as Huskisson, Canning and Wilberforce.<sup>34</sup>

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<sup>32</sup> Ibid., pp. 1136-1137; Warwick W. Wroth, "Gurney, Hudson," D.N.B., VIII (1890), 803-804. He sat in six successive Parliaments and served much on committees.

<sup>33</sup> [Doyle], pp. 314-315, 342; William G. Blaikie, "Chalmers, Thomas," D.N.B., III (1886-7), 1359.

<sup>34</sup> [Thomas Chalmers], "Causes and Cure of Pauperism," Edinburgh Review in two parts, XXVIII (1817), 1-31 and XXIX (1818), 261-302; [Henry Cockburn], "Poor Laws of Scotland," Edinburgh Review, XLI (1824), 228-258; Blaikie, p. 1359.

In 1822 an article in the Quarterly Review related that a reaction had taken place in public opinion on the subject of the Poor Law. Schemes for the abolition of the Poor Law had given way to proposals for its modification. The anti-Poor Law scheme of Thomas Chalmers was rejected. The article defended the rising costs of poor relief under the Poor Law. It admitted that from 1795 to 1815 the expense of the poor had tripled while the landed property had only doubled. However, it added that during this time new property had been created such as mines, manufactures and capital funds, which were largely exempted from the rates.<sup>35</sup> This was a strong rebuttal to those who feared that the poor rates would eat up the substance of England.

The response of Parliament to Ireland's plight in 1822 was not to initiate a poor provision of any kind nor to institute a permanent fund for the employment of the poor. Instead, in what was becoming a traditional approach, a Select Committee was appointed to investigate possible causes for unemployment and means of eliminating those causes. Thomas Spring-Rice, a leading Whig was appointed chairman of the Committee. The Parliament also passed an emergency Irish Poor Employment Bill under which £100,000 would be expended on public works, mainly roads. These steps followed a debate in which the Whigs, and Lord Lansdown in particular, roasted the Liverpool ministry for the sad plight of Ireland's economy since the Union.<sup>36</sup>

Spring-Rice's Committee could be expected to use its investigation of employment of the poor in Ireland to the disadvantage of the government. Whatever its bias, the Committee did uncover irrefutable evidence of chronic

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<sup>35</sup> [George Gleig and John Wilson Croker], "Chalmers on Poor Laws," Quarterly Review, XXVIII (1822-3), 349-350, 356-357.

<sup>36</sup> 2 Parl. Deb., VII (1822), 725-727, 670, 698-701, 1046-1050, 1265.

unemployment in Ireland and made clear the desperate needs of the Irish poor for relief. Basically, it discerned that a shortage of private capital in Ireland had resulted in underemployment, the use of poor tools, and the payment of labor in allowances rather than money. The Committee concluded that public works under local direction were not conducted with wages being paid to the laborers but rather that work was set off against their rent. This evidence bore out the advice of Chief Secretary Goulburn.<sup>37</sup>

It was discovered that the grand juries supported public works at the most inconvenient times of the year. For example, labor was demanded for road building when either planting or harvesting was in process. The Committee recommended that work be distributed more judiciously and to coincide with the demands for labor at different times. The introduction of money wages so far as public works were concerned was requested.<sup>38</sup>

While favoring minor reforms to aid the poor, the Select Committee was hostile to pursuing an active role in relieving Irish poverty. Its viewpoint in this matter was wholeheartedly laissez faire. It declared:

. . . that according to many of the received principles of political science, all artificial encouragement to industry and production are difficult to be defended . . . (there is) danger of public interference in Ireland, as tending to make the people of that country look to Government and to the legislature for relief, rather than to their own industry and their own exertions.<sup>39</sup>

In line with this economic thinking, the Committee approved the schemes of

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<sup>37</sup> Report from the Select Committee on the Employment of the Poor in Ireland (S.P. 1823), H.C. 561, VI), pp. 7-8, 22, 25-26. David Ricardo was a member of this Committee.

<sup>38</sup> Ibid., p. 8.

<sup>39</sup> Ibid., pp. 10-11.

privately subsidized emigration and the work of charitable loan associations.

Because of its laissez faire beliefs, the Committee disapproved of the extremely radical plan for Irish poor relief presented by Robert Owen. As a witness, Owen had proposed a measure of relief which would have involved considerable activity by the government. His plan called for the creation of model communities of five hundred peasants to be run as cooperatives. A committee of the investors was to govern each until the original investment was repaid by the profits of the cooperative. Then each community was to be self-governing. Owen defended the high initial cost by arguing that his plan would accomplish the extinction of poverty in one generation and that poor rates would be unnecessary.<sup>41</sup>

The Committee was adverse to the socialistic consequence of equal return for unequal skill. Owen then defended the non-competitive system under a "new arrangement of society" and proffered his New Lanark experiment as proof. Among his other ideas, he suggested the introduction of enormous capital to Ireland in low interest loans to proprietors. This was considered preferable to government public works, but public works were better than permitting any unemployment. The Select Committee opposed his central plan on the grounds that it would have rewarded the idle and was "irreconcilable with the nature and interests of mankind."<sup>42</sup>

On the other hand, the Committee indicated that certain aspects of Owen's plan might be tried by private individuals with possible advantages.

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<sup>40</sup> Ibid., pp. 10-11, 18.

<sup>41</sup> Ibid., pp. 71-73, 82-83. Owen had just spent eight months in Ireland investigating the causes of Irish distress.

<sup>42</sup> Ibid., pp. 9, 87-88, 156-157.

Accordingly, the Committee voiced its satisfaction at the extension of the Irish linen trade and admitted that such beneficial effects might require artificial stimulation and encouragement. It accepted a customary modification of laissez faire doctrine and held that government "aid might be given . . . not substituting public for private effort, but assisting and encouraging the latter, making all assistance strictly dependent upon local contributions."<sup>43</sup> Grants from the government would match private subscriptions and grand jury presentments.

The Committee's investigations emphasized the extent of unemployment in Ireland and the results of that condition. It was in this light that special approbation was given to the loan associations. These associations loaned money at five per cent interest repayable in a year. They were believed to be numerous and flourishing. The Committee saw the associations as creating employment.<sup>44</sup>

The plan adopted by the London Tavern Committee in 1822 was also approved by the Select Committee. This private organization for the relief of Irish distress had gathered large contributions for the poor. Beyond this end, it had the goal of encouraging manufacturing in Ireland. The plan of the London Tavern Committee was to make loans rather than gratuitous distribution of aid when the former was at all possible. All remittances from this committee were made in aid of local contributions for the distressed; provisions were sold at cost to those who could afford to pay, at reduced cost to those

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<sup>43</sup>Ibid., p. 10.

<sup>44</sup>Ibid., pp. 13-14, 18.



only able to afford those terms, and at no cost to the destitute. This plan of operations permitted the distinguishing of gradations of poverty.<sup>45</sup>

Thomas Spring-Rice, the chairman of the Select Committee and the active leader of the London Tavern Committee, led the questioning of the witnesses summoned before the Select Committee and elicited answers which were commendatory of the work of the London Committee and were in agreement with the Select Committee's assessment of the causes of distress, notably unemployment. The evidence given by the witnesses raised doubts as to the interest of the upper classes of Ireland in the employment of the poor and in the payment of wages in lieu of the allowance system by which work was set off against the rent. The testimony also averted to the reluctance of the English to invest capital in Ireland because of unrest there, legal obstacles and contentious sheriffs.<sup>46</sup> Curiously, there was no mention of the fact that more profits could be made by investing capital elsewhere.

This Select Committee was accused of having called witnesses who were favorable to the Committee's own prejudice toward laissez faire political economics. Certainly, the witnesses were fairly consistent in their opposition to a relief measure for the Irish poor. For example, Robert Pauncefote of the London Tavern Committee stressed in his testimony the value of self-exertion over gratuitous gifts. He declared, "food and blankets and fuel will not generate wheels, but wheels will generate fuel, blankets and food." There was no suggestion that a Poor Law be introduced to Ireland because the Select

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<sup>45</sup>Ibid., pp. 18-19, 29-30.

<sup>46</sup>Ibid., pp. 13-14, 18, 25-26.

Committee opposed gratuitous relief on the grounds that it caused degradation among the poor.<sup>47</sup>

The extension of the Poor Law to Ireland continued to be an unpopular idea held by few important people. Opposition to the English Poor Law, usually directed at reforming its administration rather than abolishing it, remained loud in the 1820's. In 1824 James Bicheno published a fresh attack on the Poor Law. If his specific line of argumentation was not adopted, still his criticism may have left its influence on humanitarians and reformers. Bicheno believed that the Elizabethan system of relief was founded on misconceptions and that indiscriminate charity was not consistent with the virtue of charity. He was especially hostile to Dr. William Paley's "contract basis" for the claims of the poor on society. Bicheno rejected this conclusion for being as gratuitous as was John Locke's "Social Compact." He cited publicists who had reconciled the public mind to Malthus' position while refuting the moral objections.<sup>48</sup>

Bicheno considered legislating on charity as impolitic. He asked what would become of the duty of exercising mercy if it was extorted. Supplying the answer, he said that if it became a right of the destitute to receive aid, vice would be encouraged. Bicheno spoke for a considerable number of his contemporaries when he said, "Hunger stimulates us to industry, fear protects us from accidents; and uneasiness at the sight of misery excites us to acts of humanity."<sup>49</sup>

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<sup>47</sup> Ibid., pp. 20-22, 25-29, 35, 38.

<sup>48</sup> Bicheno, An Inquiry in the Poor Laws (2nd ed., London: R. Hunter, 1824), pp. 69, 77, 92, 106.

<sup>49</sup> Ibid., pp. 143, 149-151; Leslie Stephen, "Paley, William," D.N.B., XV (1895-6), 105. In some of his writings Paley anticipated Bentham.

The subject of relieving the Irish poor was brought before the Parliament again in 1824-1825. A parish at Kilmore, County Armagh, petitioned the House of Lords to pass a law enabling the inhabitants of any parish in Ireland to maintain their own poor, contending that private charity was generous but insufficient. The petitioners opposed the introduction of the English Poor Law system as being neither practical nor desirable. Their alternative suggestion was that the power of the vestries be increased.<sup>50</sup> This proposal offered a concrete solution, although piecemeal, to Ireland's poor relief problem. The established church through the civil parish could tap the resources of the landed for the benefit of the poor.

As would be expected, this parochial approach to relief raised an outcry. Lord Limerick, the bulwark of Irish conservatism, was very disturbed. He countered the petition by challenging the Church of Ireland to do its part by contributing one-third of the value of its benefices to the relief of the poor. (The desire to revive this medieval custom was frequently heard from the critics of the Church.) A second spokesman, Lord Darnley, an English moderate, opposed the petition because such parochial relief measures would lead to a compulsory provision for the poor. Still a third speaker, Lord Fitzwilliam, while disapproving of any introduction of the English Poor Law, favored the experiment in Armagh since all the inhabitants were agreeable.<sup>51</sup>

In March of 1825 Henry Grattan introduced a Bill for the relief of the poor in Ireland which resembled the Armagh petition of nine months before. The Bill would have made it "optional in parishes to assemble in vestry to

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<sup>50</sup> 2 Parl. Deb., XI (1824), 1098.

<sup>51</sup> Ibid., pp. 1099-1100.

appoint a committee to investigate the state of their several parishes (religious parishes), to receive reports from such committee, and to collect subscriptions to relieve distress." Any insufficiency of charity was to be met by the vestry assessing the parish. Grattan made it clear that this permissive measure was to be experimental and temporary and that no resemblance to the English Poor Law was intended. He stated that it was his wish to avoid a repetition of the evils of 1817 and 1822 and to bring tranquility to Ireland.<sup>52</sup>

The reactions in Parliament to Grattan's Bill were varied, but in the end nothing came of it. Henry Parnell and Vesey Fitzgerald apparently identified Grattan's Bill with the English Poor Law or, at least, saw the Bill as leading toward the introduction of the Poor Law. Parnell said that a Poor Law would swallow up Ireland's wealth. Fitzgerald added that the Poor Law would perpetuate poverty and degrade the populace.<sup>\*</sup> Other speakers commented on the positive and the negative aspects of the English Poor Law relative to its extension to Ireland.<sup>53</sup>

The discussion about Irish Poor relief and the Poor Law was part of a larger debate on the state of Ireland. Disturbances in Ireland in 1824-25 led Parliament to make an inquiry. The Select Committee chosen in 1825 heard forty days of testimony on a multitude of subjects. Considerable attention was given to Catholic episcopal witnesses: a large number gave evidence. Surprisingly, negligible attention was given to the subject of a legal provision

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<sup>52</sup>2 Parl. Deb., XII (1825), 1136. He was the son of the famous orator, Henry Grattan.

<sup>53</sup>Ibid., pp. 1137-1138; Barker, p. 344. Parnell had a high reputation as a political economist; Henry M. Stephens, "Fitzgerald, William Vesey," D.N.B., VII (1889-90), 152-153.

for the poor. The Committee stressed, instead, the Catholic question, religious strife, rental practices, tithes and the administration of justice.<sup>54</sup>

One Catholic witness, John Dunn, said that a parochial, compulsory provision for the poor would tax well-kept property rather than neglected property thus treating the good landlord unfairly. He preferred that each parish care for its own poor and thought that the overseers were fit to administer a system of poor relief. Other witnesses agreed on this point.<sup>55</sup> Dunn accepted the principle of the Elizabethan Poor Law, that is, the relief of the "worthy poor," but would limit its operation. Furthermore, he believed that in Ireland the poor rate should not fall entirely upon the occupying tenant. Unlike the English practice the landlord should bear a portion of the rate.<sup>56</sup>

Another witness before the Select Committees, a Catholic priest, observed that private charity had been insufficient in 1822 as compared with previous crises and that this augured poor for the future. The priest testified that the surplus population of Ireland must be drawn away from the land. He noted that forceable removal of occupiers from the land was becoming quite common. Without increased employment in Ireland, he saw emigration as only a temporary expedient to Ireland's population problem.<sup>57</sup>

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<sup>54</sup> First-Fourth Reports from the Select Committee Appointed to Inquire into the State of Ireland (S.P. 1825, H.C. 129, VIII).

<sup>55</sup> Fourth Report, pp. 571-572; State of Ireland, Minutes of Evidence Taken before the Select Committee on Disturbances in Ireland; 13th May-18th June, 1824 (S.P. 1825, H.C. 20, VII), pp. 285-287; The Evidence Taken . . . into the State of Ireland (London: John Murray, 1825), pp. 21-25.

<sup>56</sup> Ibid., pp. 22-23.

<sup>57</sup> Ibid., pp. 93-95; State of Ireland, Minutes of Evidence (S.P. 1825, H.C. 20, VII), pp. 360-363.

The priest was favorable to the idea of introducing the English Poor Law to Ireland, "I would carry it as far as is necessary to protect the poor, and to produce a community of feeling between the proprietors of the land and the population." When asked if he would favor the Poor Law although it led to increased population, the priest replied that in that case it was not a desirable thing for Ireland unless necessity authorized it, for example, to save the destitute from starving. He denied that the availability of relief would stop men from preferring to acquire their own subsistence.<sup>58</sup>

Critics had often argued that the English Poor Law increased the number of paupers. They argued that the effect of such a measure on Ireland would be the destruction of all her capital.<sup>59</sup> One of the witnesses who so testified was John McCulloch, a leading economist of the day. In 1825 an article in the Edinburgh Review, probably written by him, expressed vehement opposition to the introduction of the Poor Law into Ireland. The author mocked the idea of a Poor Law for Ireland and expressed amazement that persons in high and respectable positions favored it. He felt that this step would consummate the ruin of Ireland by destroying existing capital. The article contained the view that English misgovernment was a chief cause of the existing problems in Ireland. Under this hypothesis the Poor Law could not solve the problems at all.<sup>60</sup>

According to the article the greatest single Irish problem was unemployment. It then attempted to prove that the Poor Law would increase

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<sup>58</sup> Ibid., pp. 360-361, 363.

<sup>59</sup> Third Report, p. 429; Fourth Report, pp. 571-572, 821.

<sup>60</sup> [John R. McCulloch, or Henry Parnell], "Ireland," Edinburgh Review, XVI (1825), 356-357.

unemployment in Ireland. The argument was that poor relief encouraged idleness. The poor rate would increase as more men demanded relief. There would then be a maldistribution of capital in Ireland which would result in throwing those presently unemployed out of work.<sup>61</sup> This line of causation was the basis of the wages-fund theory popularized by John McCulloch. The impressive authority of this axiom of political economics was a chief obstacle to the enactment of any type of legal provision for the poor, national or parochial in character.

In 1825 informed British leadership was well aware of the conditions in Ireland. Many leaders were concerned that some remedy be found, but unable to decide on a course of action. Bishop James Doyle attempted to influence the decision-making. Doyle was perhaps the most eloquent humanitarian spokesman for the plight of the Irish poor of the time. His arguments for poor relief were not shaped very much by the economic theories in vogue nor by vested interests as were many of his contemporaries. His Letters on the State of Ireland noted that the "bare mention of poor's rates had excited a general sensation in Ireland," alarming the proprietors, Orangemen, and Malthusians.<sup>62</sup>

Doyle saw some positive advantages in a poor rate. The element of justice in a poor rate especially appealed to him. He wrote, "The poor have a strict right to be supported, whether by their own industry or at the expense of those who hold in property the entire goods of the community." Doyle specifically called this a matter of distributive, not commutative, justice--a right to get, but not to take. While believing that the poor should derive

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<sup>61</sup>Ibid., pp. 402-403.

<sup>62</sup>[Doyle], pp. 314-315.

much of their support from voluntary offerings, he felt that compulsory support should be enacted by law. Such a provision would protect the poor against unusual distress, unemployment and accidents.<sup>63</sup>

The introduction of a Poor Law to Ireland was viewed optimistically by Bishop Doyle. He had little faith in partial relief measures. Favoring a general relief measure he stated:

I am of the opinion that every municipal measure for the improvement of Ireland will be slow, if not inefficient, unless this be previously or simultaneously adopted . . . a well digested system of poor's laws would lay the foundation of numberless advantages to Ireland.<sup>64</sup>

England's Poor Law, however, was rejected by Doyle who preferred Scotland's as being better fitted to Ireland. In Scotland the ministers along with annually elected laymen were authorized to ascertain the character and wants of the resident poor and to dispense to them from the parish fund what would be necessary for their relief. This system deprived the indolent and the vicious of the opportunity of subsisting on the public bounty. The funds came from several sources: voluntary offerings on Sunday at the places of worship, income from the labor of the poor who were employed by the committee of the trustees of the poor, and from assessments levied on the parish with the owners and occupiers of land each paying half of the rate.<sup>65</sup>

One outstanding difference between the English and the Scottish Poor Laws was that the former placed the responsibility for administration of poor relief on the civil organization of the parish under the supervision of the

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<sup>63</sup> Ibid., pp. 319, 323-324.

<sup>64</sup> Ibid., p. 338.

<sup>65</sup> Ibid., pp. 342, 246-247.



justices of the peace. The Scottish law rested the responsibility on the minister and his elders under the supervision of the local presbytery. Also, while the English law charged the cost of relief upon a compulsory poor rate, the Scottish relied primarily on voluntary collections. The able-bodied destitute were to be relieved by setting them to work in England but the Scottish law left this unclear. The greatest difference between the two systems was in their operation. The Scottish system was hardly activated to any extent before 1800, and it relieved only eighty thousand paupers in 1837.<sup>66</sup>

In 1824 Doyle believed that an Irish poor rate based on the Scottish model would not overwhelm the proprietors since the number of those relieved would be lessened. With enthusiasm rather than well-deserved proofs, Doyle delineated the many benefits which such a poor relief system would bring to Ireland. Rejecting current economic views he reasoned that a chain reaction would be produced by a poor rate. Absentees would be made to contribute this fair share in poor relief. Property owners would hire the unemployed to keep them off the rates. This employment would improve the land. The result would be increased internal trade, peace and order. He concluded his assertions with the declaration that over-population would be checked and Malthus' theories disproved.<sup>67</sup>

While Doyle inadequately supported his conclusions, the Letters on the State of Ireland was eagerly read. His political writings came to exercise in their day an enormous influence. The reputation of Doyle as an authority on the poor came to the attention of Parliament. In 1825 he was called to London

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<sup>66</sup> Webb, Part II, I, 1030-1031.

<sup>67</sup> [Doyle], pp. 352-353, 355-358, 360-365.

to be examined by the Select Committees on the State of Ireland. His testimony impressed the Parliament, and he was called again to give evidence in 1830 and 1832.<sup>68</sup> Bishop Doyle would remain active in the debate over poor relief, while gradually changing his views, and would give battle to opponents like Chalmers, O'Connell and Spring-Rice.

Proposals about poor relief began to come from all quarters. Doyle's Letters were published at the time that Thomas Chalmers' was popularizing his own notion of poor relief, On the Christian and Civic Economy of Large Towns (1823-1826). Chalmers' pauper scheme was experimentally proven by his parochial success in making the Scottish Poor Law an effective means of poor relief. The pauper scheme was based on voluntary charity and rigorous economy in expenditures. It had a considerable effect on English public opinion.<sup>69</sup>

The evidence taken by a Select Committee on Labourers Wages in 1824 was very condemnatory of the allowance system which aided large families from the poor rates and of the whole Speenhamland System of poor relief. However, an article, supposedly written by Francis Palgrave, in the prestigious Quarterly Review produced a somewhat different conclusion. Palgrave criticized the outdoor relief of the able-bodied and requested a reform of the Poor Law administration, but he also paid tribute to the Poor Law as they had existed before 1795. He wrote, "Our poor laws have not proven so inimical to the wealth and prosperity of the country as it has been the fashion of late to represent them." As proof he cited that the proportion of relief to the resources of the country had undergone a decrease. The observation was made that

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<sup>68</sup> Gordon Goodwin, "Doyle, James Warren," D.N.B., V (1888), 1316-1317.

<sup>69</sup> Webb, Part II, I, 1031.

Ireland resembled the England of the pre-Poor Law period. With this observation Palgrave concluded, "We are disposed to think that the same code of laws which contributed so materially to bring about an improvement in the agricultural economy of England would be attended with similar consequences if introduced into Ireland."<sup>70</sup>

Palgrave felt that a Poor Law minus the 1795 innovation of supplementing wages would benefit Ireland. Such a Poor Law was supposed to extinguish the practice of subdivision and subletting by making landlords more cautious in multiplying peasant households which might someday be on the poor rates. For the same reason a Poor Law would deter ejections.<sup>71</sup>

Another common proposal for the relief of the poor was emigration. Some humanitarians and political economists saw emigration schemes as a solution to the unemployment and destitution of Ireland. Parliament set up several committees to investigate the feasibility of organized emigration. Ironically, although emigration was intended as a substitute for a Poor Law, it could be and was used as an argument for a Poor Law for Ireland. Testimony before the Select Committee investigating emigration in 1826 produced the reasoning that since Ireland did not possess a poor rate, any emigration scheme would have to be supported by voluntary contributions. The Committee's Report mentioned a

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<sup>70</sup> Report from the Select Committee on Labourers Wages (S.P. 1824, H.C. 392, VI), pp. 4-5; [Francis Palgrave], "Report of the Select Committee . . . into the Wages of Labour 1825," Quarterly Review, XXXIII (1825-6), 453-454. The date in his title refers to the Abstract of Returns Sent to the Committee of Last Session (S.P. 1825, H.C. 299, XIX), Wroth, "Palgrave, Sir Francis," D.N.B., XV (1895-6), 108.

<sup>71</sup> [Palgrave], p. 454.

proposal which urged that the rating of estates and parishes be initiated for the purpose of supporting emigration.<sup>72</sup>

The Select Committee on Emigration in 1826, whose interrogation of its witnesses was characterized by leading questions, uncovered several obstacles to and unattractive results of emigration. To begin with, the testimony of witnesses revealed that there was little belief in the landlords voluntarily contributing to emigration. Some witnesses expressed the fear that the best mechanics and laborers would depart Ireland if an emigration scheme was adopted.<sup>73</sup>

It was the dilemma of employing Ireland's large and increasing population which gave incentive to the proponents of emigration. William Gabbett of County Limerick, a witness, wondered where the funds for emigration would come from and yet doubted that Ireland could afford to support all of her unemployed. The opponents of emigration schemes, such as those who preferred public works, wondered how Ireland could support employment measures. The bishop of Limerick saw more advantage in the removal of redundant population by emigration than in employing them at home. His argument was that money for employment was often expended with little long run benefit. He claimed that when the funds of the London Relief Committee were used for employment during the famine of 1822 they caused far more mischief than good.<sup>74</sup>

Some of the arguments for emigration were used against it by opponents. For instance, the argumentation for emigration claimed that employment of the

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<sup>72</sup> Report from the Select Committee on Emigration (S.P. 1826, H.C. 404, IV), pp. 8, 11.

<sup>73</sup> Ibid., pp. 126, 130, 133.

<sup>74</sup> Ibid., pp. 131, 142.

poor meant only temporary relief with little long-range benefit. One rebuttal suggested that emigration at best was a temporary solution which left no improvements in the land. And again, a pro-emigration contention by the bishop of Limerick held, "emigration is an instantaneous relief" while relief such as public works would be gradual in operation permitting tragic suffering in the meanwhile.<sup>75</sup> To this could be replied that any emigration scheme would take a long time to be effectual while employment relief was more immediate. In effect, discussion about emigration often led to consideration of alternatives. Men disillusioned with emigration schemes were often interested enough in the welfare of Ireland to support other types of relief.

Several interesting observations came out of the Select Committee's investigation which were of broader significance than the subject of emigration. For example, it was foreseen that an initial voluntary provision for the poor, such as a national land tax for an emigration fund, could be made compulsory when favorable sentiment was created. The Bishop of Limerick believed in the idea of an initial voluntary tax.<sup>76</sup> Perhaps because of the temporary popularity of the Scottish Poor Law, the notion that a poor rate need not be compulsory until its value was appreciated became popular with advocates of poor relief.

One witness before the Committee, Alexander Nimmo, used the subject of emigration as a pretext for making more general observations on the state of Ireland. Nimmo was a prominent civil engineer who carried out major public works in the western district of Ireland. He gave employment to the peasantry

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<sup>75</sup> Ibid., pp. 142-143.

<sup>76</sup> Ibid., p. 145.

during the famine of 1822.<sup>77</sup> He disclaimed any expert knowledge on the benefits of emigration but made important comments on the state of Ireland.

It was Nimmo's belief that there was no connection between heavy population density and social disorganization with its accompanying violence. He cited Tipperary and Kilkenny as places which were not thickly populated but which were the scene of numerous disturbances and crimes. Nimmo concluded that the violence of Ireland did not arise from her dense population but from the wretchedness of people in agricultural areas where produce prices had fallen and where there were no manufactures. Such was the case in Tipperary and Kilkenny. Nimmo saw the necessity of removing laborers from dependence on the land and thus favored all remedies which would accomplish this, not just emigration but also the increase of manufacturing in Ireland.<sup>78</sup>

The Select Committee's question, "Do you consider that the system of poor-rates, as known in England, would be at all applicable to the case in Ireland?," received strong negative replies. Lord Ennismore felt that poor rates would have ruinous consequences in Ireland. The same lord had just admitted that few Irish parishes would voluntarily assess themselves for emigration funds.<sup>79</sup> As the population of Ireland continued its meteoric ascent, the possibility of emigration as a safety valve was not forgotten. The realization that voluntary support to emigration was not to be expected only led proponents of emigration to another approach.

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<sup>77</sup>George Stronach, "Nimmo, Alexander," D.N.B., XIV (1894-5), 512.

<sup>78</sup>Report from Select Committee on Emigration, pp. 187-189.

<sup>79</sup>Ibid., p. 199.

In 1827 Sir Henry Parnell, who had a high reputation as a political economist, stressed the necessity of interference by Parliament to carry out a program of emigration from Ireland to avert much suffering and violence and to prevent England and Ireland from being overrun.<sup>80</sup> It was widely believed that Ireland's population was redundant, the proof being shown in the excess of able-bodied and active laborers over the demand for them. The Select Committee on Emigration contended that much of Ireland's population was "dependent for support on the precarious funds of charity, or at times on the more dangerous resources of plunder and spoilation." It concluded that this state of affairs served to repress industry, endanger public peace, and produce outrage.<sup>81</sup>

More serious attention to the problem of over-population as affecting the poor of Ireland produced the conclusion in some heads that panacean remedies would not be satisfactory solutions to the problem of poverty in Ireland. In 1827 William Tooke wrote that the boldest and most comprehensive plans which had been brought forward to solve Irish problems fell lamentably short of "the social regeneration of Ireland." He referred explicitly to emigration, the establishment of a legal maintenance for the poor, and the introduction of British capital. Tooke gave most of his own attention to the second of the above plans.<sup>82</sup>

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<sup>80</sup> Second Report from the Select Committee on Emigration (S.P. 1826-7, H.C. 87, V), pp. 166-67.

<sup>81</sup> Third Report from the Select Committee on Emigration (S.P. 1826-7, H.C. 237, V), p. 3.

<sup>82</sup> [William Tooke], "The State of Ireland," Westminster Review, VII (1827), 35.

Tooke believed that a historic introduction of poor rates would have checked subletting in Ireland and the early marriages, which this in turn encouraged. He felt that it was too late for such a step in 1827 since it would fall as a heavy burden upon the more industrious and more provident and not on the Irish aristocracy. He indicated that widespread ejections would be necessary if a landlord wished to face a rate and that then the misery would be merely transferred to the towns and larger villages.<sup>83</sup>

On the subject of introducing capital into Ireland as a means of solving the problem of poverty, Tooke cited a strong objection. He recalled what Alexander Nimmo had reported to a committee of the House of Lords in 1824. Nimmo testified that the power of the landlords was so excessive that wages received from employment on public works were quickly taken by the landlords. If Nimmo was correct, as Tooke believed he was, then the introduction of capital to Ireland would have to be carefully applied so as not to increase the abusive power of the landlords.<sup>84</sup>

Tooke observed that the government certainly wished to avert actual famine and insurrection, both of which brought danger and annoyance and attracted inquiry. However, he was cynical about the government's willingness to cure the maladies under which Ireland suffered. To remove the causes of Ireland's plight, he said, "it would be necessary to take much trouble, and to strip the Irish gentry of much power, which is not to be expected from a government constituted as ours is."<sup>85</sup> The remarks of Tooke were verified

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<sup>83</sup> Ibid., pp. 38-40.

<sup>84</sup> Ibid., p. 41.

<sup>85</sup> Ibid., p. 42.



again and again in the years that followed as government funds were expended without removing the causes of distress.

In 1827 an important pamphlet appeared which was relevant to the Irish poor. It was in the form of a report addressed to the Lord Lieutenant of Ireland. The authors were the famous prison reformers, Elizabeth Fry and Joseph Gurney. They had completed an extensive visitation of Irish prisons, lunatic asylums, infirmaries, houses of industry and other relief establishments. On this basis they were authorities on the state of poor relief in Ireland.<sup>86</sup>

Both Fry and Gurney were especially complimentary of the provision made for the insane in Ireland. They found that a considerable part of the houses of industry at Limerick, Cork, Waterford, and Clonmell was allotted to the insane. Great fault was found with the houses of industry. The two reformers saw many evils in confining persons of all description in one house, for example, idiots, prostitutes, children and the aged. It was suggested as a preferable policy that, with the exception of the mentally and physically ill, these persons "be left to their own cottages, and to the care of those with whom, by the ties of nature, they are most closely connected."<sup>87</sup>

Fry and Gurney felt that the principle of maintaining the independence of the poor should be kept in mind in all poor relief measures. They feared, however, that the existing state of the Irish lower classes was so disordered as to make flexibility in the application of the principle necessary. While the Irish houses of industry were subjected to their criticism, Fry and Gurney

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<sup>86</sup> William G. Blaikie, "Fry, Elizabeth," D.N.B., VII (1889-90), 734-736; Blaikie, "Gurney, Joseph John," D.N.B., VIII (1890), 806-807.

<sup>87</sup> Elizabeth Fry and Joseph J. Gurney, Report addressed to the Marquess Wellesley, Lord Lieutenant of Ireland (Cornhill: John and Arthur Arch, 1827), pp. 2-3, 36-40, 44.

judged that they were "on the average, very superior to that of the workhouses in England." The Irish institutions separated the sexes and the classes within the limitations of a single building. In them the poor were provided with clothing, sufficient plain food, work, and religious and medical care, while their children were taught. Special praise was given to the Dublin House of Industry with the exception of its medical department.<sup>88</sup>

The appearance of new mendicity societies was noted. These cared for the most wretched poor by employing them, sometimes sheltering them, and teaching their children. Fry and Gurney regretted that the mendicity societies were short-lived for lack of funds and urged that they be partially subsidized by the government through grand jury presentments: "The expense of assisting in the maintenance of the most wretched of the poor would thus . . . devolve, not merely on the benevolent inhabitants . . . but rateable on the proprietors of real estate."<sup>89</sup>

Fry and Gurney were not willing to attribute the misery of Ireland to the results of misgovernment as others did. They cited a multitude of examples where the government had directed its attention to the object of relieving and improving its inhabitants: the maintenance of various public institutions of a humane and charitable nature, the establishment of a well-organized police, the amelioration of the local administration of justice, the forming of new roads and public works, the lessening of taxation, and the useful modification of the tithes.<sup>90</sup>

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<sup>88</sup> Ibid., pp. 44-45.

<sup>89</sup> Ibid., p. 45.

<sup>90</sup> Ibid., pp. 46, 55.

Unemployment was seen as a chief obstacle to Ireland's improvement. As the two reformers saw the situation, the task of furnishing the poor with employment and the security of some support was not in the power of the government and could only be effected by the exertions of private individuals. They saw the solution in the proprietors taking the initiative in a united effort for the improvement of the laboring poor. Accordingly, they were encouraged by the appearance of farming societies which directed their activity to the employment of the agricultural laborer.<sup>91</sup>

Interestingly enough, Fry and Gurney were more hopeful about increasing employment in agriculture than in areas such as industry. They identified the increasing immorality and intolerable occasional unemployment with the introduction of modern manufacturing. While stressing individual initiative, they suggested that the government encourage and protect domestic industry. The dilemma inherent in these notions of Fry and Gurney was clear in the matter of poor relief. Thus, they opposed the introduction of the English Poor Law to Ireland yet expected the government to play a positive role in Irish poor relief. The government was to "prevent the catastrophe of starvation in any of the poor, without encouraging a state of idle and vicious dependence."<sup>92</sup>

To them a temporary solution lay in supporting and extending the operation of the mendicity societies. These could be supported from some public fund, probably by a rateable tax on the whole county, with hope that private charity would not be checked, but rather called into fuller and more systematic action. Fry and Gurney visualized the emergence of a national scheme with

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<sup>91</sup>Ibid., pp. 57-59.

<sup>92</sup>Ibid., pp. 66-67, 70, 80.

annual funds raised in all towns and not merely a generalized effort. This sophisticated "mendicity society" would oversee the uniform operation of some twenty to forty poor houses and superintend the education of the children of the poor.<sup>93</sup>

The observations of these reformers are important leads to the effectiveness of the steps taken by government and public organizations to relieve the poor up to the time of Catholic emancipation. The studied moderation of their comments indicates how useful a full scale examination of Irish relief institutions conducted by Fry and Gurney would have been. The atmosphere in the years after the publication of their pamphlet was to become so charged with passion as to make calm and objective observation well-nigh impossible. Attention to principles and theories in the matter of poor relief gave way to attention to social, economic, and political realities to an increasing degree. Theories such as that with minimal direct aid the poor could help themselves or that the government could help the poor by remedial legislation or that a drastic reorientation of the economy and society was needed became largely academic. The progress of Irish poor relief was in response to new social, economic and political pressures. The state of Ireland was to be strongly effected by Catholic emancipation, increased British suffrage, and the New Poor Law.

The hectic political crises after the fall of Lord Goderich's ministry mark a break in the policies of governing Ireland. Yet, there was to be a continuity in the policies affecting the poor. A reason for this was the steadily increasing influence of orthodox British economic theory in political

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<sup>93</sup> Ibid., pp. 70-73.

circles. This theory "dwelt on the value of unhampered individual effort, and the danger that government intervention might prove ineffectual or even upset the harmonious and productive working of economic forces."<sup>94</sup>

Robert Peel and his colleagues through the 1820's had tended to apply these principles when dealing with Irish affairs. Peel had much experience with proposals for Irish poor relief which involved direct intervention of the government and the application of public funds. He reacted by strongly demanding the policy of strict inquiry and long deliberation before adopting any such proposal. For example, in 1826 when a fever epidemic was raging in Dublin partly because of the under-nourishment of the poor, Goulburn, Peel's alter ego refused to arrange for the distribution of bread, "on the ground that it would undermine voluntary local efforts by encouraging the opinion that the government would provide for everything." As proof that his decision was founded on principle, he expanded emergency hospital accommodations.<sup>95</sup>

The Whig ministries of the 1830's and 1840's would be even more obsessed with the orthodox economic theories and would magnify Peel's policy of scrutinizing schemes for the improvement of Ireland. Proponents of Irish poor relief would increasingly decry this behavior as cruel procrastination in the face of abject poverty.

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<sup>94</sup> McDowell, p. 70.

<sup>95</sup> Ibid., pp. 70-71.

## CHAPTER IV

### ALTERNATIVES TO A POOR LAW, 1828-1838

In 1827 Irish poverty was a byword in Great Britain, and some measure for Irish poor relief seemed inevitable. Yet while the Tory party maintained its precarious grasp on the government, any step in this direction seemed unlikely. The government was fearful of reform because any controversy threatened to unseat it. The ministry was still unwilling to take up the question of English Poor Law reform let alone Irish poor relief.<sup>1</sup> For the moment, the extension of the Poor Law to Ireland was precluded.

Not only was an Irish poor relief measure blocked by a conservative government, but it was enmeshed in the controversy over the English Poor Law which had already raged for decades.<sup>2</sup> In addition, at the outset of the public debate on the desirability of Poor Laws for Ireland 1828-38, the classical economists were virtually unanimous in their opposition to the idea of introducing a general system of poor relief to Ireland.<sup>3</sup>

Under these circumstances it was natural that some politicians and humanitarians were deterred from making a direct attempt at the solution of Irish destitution. Discouraged from the idea of introducing some type of Poor Law to Ireland, they gave their attention to problems related to destitution. Thus

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<sup>1</sup>Webb, Part II, I, 44-45.

<sup>2</sup>McDowell, The Irish Administration, p. 175.

<sup>3</sup>R. D. Collison Black, Economic Thought and the Irish Question 1817-1870 (Cambridge: University Press, 1960), p. 90.

it was that many British and Irish leaders concerned themselves with the welfare of the Union, the rental system, tithes and church property, unemployment, and peace and order.

As this was the era in which the authority of classical political economics was at its height, the attempts to tackle the continuing problem of Irish poverty were often dictated by economics. The hypotheses advanced by Lionel Robbins and R. D. Collison Black give evidence of the dominance of the economists over Irish economic policy. To the degree that the government's policy toward solving the problem of poverty in Ireland was an example of this dominance, the dilemma arose which Black has perceived: What was to be the attitude of the classical economists toward the functions of the State in economic matters when the Union had integrated two very different economies at widely different levels of development?<sup>4</sup>

The dogmas of laissez-faire demanded that the government's activity in economic matters be restricted. But, as it became obvious that Irish poverty did not have a remedy within the limits of strict adherence to laissez-faire, less orthodox remedies were applied by the government. These remedies often met with the double opposition of both vested interests and doctrinaire economists. Only gradually was it acknowledged by theorists and practitioners of economic policy that Ireland was a special area where extraordinary measures might have to be tried.<sup>5</sup>

The form that these extraordinary measures would take was somewhat determined by the course of reform in Great Britain. The reform of Parliament was but part of a wide range of reforms many of which were administrative.

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<sup>4</sup> *Ibid.*, pp. 4-vi, 2-3.

<sup>5</sup> *Ibid.*, p. vi; McDowell, p. 26.

Administrative reform was initiated primarily because of Benthamite influence but also with the support of the political economists. Beginning with the Board of Works in 1821 many measures relating to the problem of Irish poverty came through the establishment of administrative agencies. The extension of the Poor Law to Ireland would be in the form of an administrative agency.<sup>6</sup>

These administrative reforms for Ireland were not in complete accord with laissez-faire theory. Neither were the measures taken by the government for public works and emergency relief nor plans for support to emigration or cultivation of waste lands in accord with strict laissez-faire. They were accommodations of economic policy to the seemingly insolvable problem of Irish poverty. And there is evidence that classical economists were prepared to tolerate paternal government in solving problems not amenable to individualism, for example, as in Ireland where the masses of the poor were not subject to the normal laws governing economic behavior.<sup>7</sup> The relenting of the economists in their opposition to the Irish Poor Law would be proof of this. In the economic policy of the government towards Ireland, Benthamite utilitarianism and humanitarianism kept breaking through laissez-faire doctrine.<sup>8</sup>

The political economists held that the poverty of Ireland was largely caused by economic disorder. They viewed national economic development in terms of the comparative rates of increase of population and capital. To such writers as Malthus and Ricardo, the extremely low standards of the majority of the Irish people were the result of population growth outstripping capital increase. They promoted attention to the problems related to poverty as the best means of

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<sup>6</sup> McDowell, p. 26.

<sup>7</sup> Black, pp. 3, 12.

<sup>8</sup> McDowell, p. 26.



relieving poverty. The immediate goal was to curb population and increase capital.<sup>9</sup>

In accord with laissez-faire they did not desire state interference with the existing system of landed property. The economists generally believed that Ireland's prosperity could be enhanced by the removal of existing obstacles to the efficient operation of Irish agriculture. Taking their lead from the successes of capitalist style agriculture in England, they desired the adjustment of Irish agriculture to capitalist farming. The cottier system was seen as the chief obstacle. It permitted the multiplication of heads and kept employment opportunities few and wages low. The cottier system was dependent on the ease of obtaining land for potato-patch subsistence agriculture. Accordingly, the economists sought legislation which would ease the process of land clearance in Ireland.<sup>10</sup>

The British government was increasingly influenced by laissez faire theory. William Pitt, Robert Peel and Lord John Russell were among those increasingly willing to implement it in their administrations. Such theory was generally opposed to government intervention to relieve poverty in Ireland whether it was in the form of poor relief, the introduction of capital or any other form of positive aid. Instead, the government was inclined to concentrate on the removal of all obstacles to the conduct of free enterprise. In this regard the government did not restrict itself to increasing free trade between Ireland and Great Britain.<sup>11</sup>

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<sup>9</sup>Black, pp. 86-87.

<sup>10</sup>Ibid., pp. 18, 20.

<sup>11</sup>E. L. Woodward, The Age of Reform 1815-1870 (Oxford: Clarendon Press, 1949), pp. 320-322; Gash, p. 226; Black, pp. 12-14; Nicholas Mansergh, The Irish Question 1840-1921 (London: George Allen and Unwin, 1965), pp. 41-43.

To the economic liberals, including both laissez faire economists and Benthamites, the enhancement of free enterprise required the equality of Ireland with Great Britain in all matters relevant to her social and economic order. Thus the government took many steps toward imperial uniformity of administration and law in the decades after the Union. In 1816 the public revenues of Great Britain and Ireland were consolidated under the management of the United Kingdom treasury. The following decade witnessed the amalgamation of a number of Irish departments with their British equivalents.<sup>12</sup> It was partially the desire for economic equality which led the economic liberals to support Catholic emancipation. And in 1834 when the New English Poor Law was ratified with the approval of many economists, it was only logical that they support a similar measure for Ireland.

Before the economic liberals were apprised of the fact that Irish destitution was itself a chief obstacle to Ireland's economic development and required direct remedy, others had perceived this. Some British politicians and humanitarians had long been interested in the state of Ireland because of the fear that Great Britain would eventually suffer the consequences of Irish poverty due to the influx of Irish labor. As the migration of labor was an effect of Irish destitution, the fear of being swamped by Irish labor often led British leaders to advocacy of reforms for Ireland. The suggested reforms were quite varied. They included an Irish Poor Law with a settlement feature, tenant right, government-supported emigration and home rule. The reforms and

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<sup>12</sup> McDowell, Public Opinion, pp. 78-79.

the reformers were often opposed to each other and thus served to delay the adoption of any single measure.<sup>13</sup>

Those men who were fearful of the effects of Irish poverty on Great Britain joined the political economists to produce accelerated interest in problems relating to Irish poverty and destitution in the decade 1828-38. Those who were not political economists were more likely to desire the remedy of social as well as economic evils in Ireland in order to bring both tranquility and prosperity to her.

When a legal provision for the poor was dismissed from immediate consideration as a remedy for Irish destitution, the welfare of the Union was often regarded as crucial for the solution of Ireland's poverty. It must not be forgotten that the Union had undesirable consequences on Great Britain as well as on Ireland. Indeed, Irish poverty had been admitted to England as the Greek gift had to Troy and with similar results. The British attitudes on the welfare of the Union provide a different focus on Irish poverty.

The economic and social problems resulting from the Union drew British attention to Ireland's poverty. In this vein Monck told the House of Commons in 1827 that the introduction of the Poor Law in some form to Ireland was as much an English as an Irish question. As proof he cited that the County of Bucks had spent £1,000 for passing Irish vagrants from Bristol to London. He was seconded by the consistently conservative General Isaac Gascoyne who sought some measure to relieve Liverpool from the expense of passing the Irish.

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<sup>13</sup>Black, pp. 90, 102, 106.

Liverpool spent £4,000 passing vagrants to Dublin in 1826 alone. A similar complaint was heard of the inundation of Irish into Scotland.<sup>14</sup>

There was great Irish migration to Great Britain at this time. The introduction of the steam packet service between Ireland and Great Britain corresponded with the large scale ejection of tenants in Ireland and resulted in a flood of Irish labor. The Select Committee on Emigration of 1826-7 obtained much testimony on this subject. The evidence could be divided into that concerned about welfare of Great Britain and that concerned about the welfare of Ireland. Ultimately, in both cases Irish migration was a Union problem.<sup>15</sup>

Sterne Tighe testified before the Select Committee that it was the duty of the legislature to interfere "and check this system of thinning the population until some means be devised for saving the unfortunate people from the effects of it."<sup>16</sup> Among the evil effects that he foresaw were that all laborers would migrate to England, a system of pillage would prevail in Ireland, and famine and disease would ravage the land. His alternative solutions were sending the people to the colonies or employing them in Ireland through a fund. Tighe felt that Irish migrants in Great Britain would be a threat to civil order. He predicted extensive migration to England and warned that something must be done to prevent this. Stoically, he added, "We have taken Ireland for

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<sup>14</sup><sup>2</sup> Parl. Deb., XVI (1827), 1086, 1090; Henry M. Chichester, "Gascoyne, Isaac," D.N.B., VII (1889-90), 927-928; "Third Report of the Emigration Committee. Session 1827," Westminster Review, IX (1828), 121.

<sup>15</sup> Reports from the Select Committee on Emigration from the United Kingdom (S.P. 1826-7, H.C. 404, 87, 237, IV-V).

<sup>16</sup> [Robert Southey], "Emigration Report," Quarterly Review, XXXVII (1828), 561-563, 565.

better or worse, and must bear the worst consequence of the union till we have made the best of it."<sup>17</sup>

The Select Committee discovered the extent to which Irish labor was already a burden to Great Britain. In some places the poor rates in 1826 were seven times what they were during the whole four-year period 1820-4 due to the relief of Irish paupers. This problem was most serious in the manufacturing towns.<sup>18</sup>

This committee's findings were the basis of an article in the Westminster Review which cautiously evaluated the possible value of poor relief in Ireland. The article interpreted the crisis of Irish migration to Great Britain as an argument for treating Ireland as special and not as an integral part of Great Britain. It suggested the prohibition of Irish laborers if need be and the use of travel certificates for Irish migrants.<sup>19</sup>

While the author of the article would have checked the scope of the Union for the welfare of Great Britain, the very existence of the Union made him concerned about the welfare of Ireland. Thus, the author lashed the Irish landlords. It seemed to him only a policy of equity to prevent the Irish landlords from throwing on the public the charge of maintaining ejected tenants. The author then contemplated the expedience of a compulsory maintenance for the Irish poor.

Here a dilemma was perceived. There had to be moral and legal checks to control the number to be relieved or else the means of the landlords to

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<sup>17</sup> Ibid., pp. 565, 567-568. Tighe was also called as a witness before a select committee in 1823. See Strickland, pp. 94-95.

<sup>18</sup> "Third Report of the Emigration Committee," pp. 121-122.

<sup>19</sup> Ibid., pp. 129-130.

<sup>20</sup> Ibid., pp. 132, 134, 136.

maintain the poor would be diminished. However, the author doubted that the landlord's control would be adequate for the purpose of maintaining a compulsory maintenance under the existing circumstances of Ireland. The risk that a compulsory maintenance would destroy the landlords in time of famine without bettering the poor was considered too high by the author. Yet, he decried the irresponsible ejections by the landlords as unfair to the public and to the English laborer. The author concluded that while he had no immediate solution to the dilemma, he could conceive that a change in the state of Ireland could alter the utility of introducing a Poor Law there.<sup>21</sup>

The concern with Irish migration to Great Britain was part of a wider interest in emigration abroad to the colonies. While shunning the continuing debate on emigration as a means of relieving unemployment, it is relevant to note that the investigation of emigration in 1827 resulted in the passage of the initial legislation to protect the emigrants. This was the first of the new Passenger Acts, the previous acts of a similar name having been mercantilistic in character. The Passenger Act of 1827 and subsequent acts were examples of the government's interest in the poor emigrants. These acts prescribed the minimum standards. Oliver MacDonagh has chronicled the development of government policy in response to the accelerated emigration which occurred in the thirties and forties.<sup>22</sup>

In 1828 Peel called the attention of Parliament to the problem created by the new transportation system and requested that it seek a solution without the introduction of the Poor Law to Ireland. Wilmot Horton, a prominent

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<sup>21</sup> Ibid., pp. 134-135.

<sup>22</sup> Oliver MacDonagh, "Emigration and the State: an Essay in Administrative History," Transactions of the Royal Historical Society, V, 134-135.

political pamphleteer, advanced a different view. He said that the close contact since the Union, and especially since steam navigation, made it "necessary to equalize the laws relative to the poor in both countries" and, in particular, to introduce a modified English Poor Law to Ireland. According to him, equalization in other matters such as money, exchequer and laws was a good beginning.<sup>23</sup>

An expert on the state of Ireland's poor, John Pitt Kennedy, dealt with the dilemma produced by the Union in a pamphlet.<sup>24</sup> He foresaw that the problem of Irish emigration would necessitate some legal provision for the Irish poor. Kennedy wrote:

. . . it being entirely out of the question that England . . . should also sustain those of Ireland. . . . It cannot . . . be imagined that it will long be endured that the labouring population of England should be gradually borne down by migratory paupers from Ireland. . . . Any measure, therefore, the object of which is to diminish the evil, must be applied both to England and Ireland, or its effect will be nugatory.<sup>25</sup>

He concluded that some permanent provision for both the able-bodied and the aged and infirm poor of Ireland would be required to prevent them from pauperizing England.<sup>26</sup>

Both houses of Parliament resounded in 1829 with similar observations. They centered on the anomaly of there being a provision for the poor in one

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<sup>23</sup><sup>2</sup> Parl. Deb., XVII (1828), 1418-1420; George Barker, "Horton, Sir Robert John Wilmot," D.N.B., IX (1891), 1284-1285.

<sup>24</sup> Robert H. Vetch, "Kennedy, John Pitt," D.N.B., (1891-2), 1318-1320. His interest in agriculture led him to establish a model farm and two national schools. In 1837 he was appointed Inspector-General under the Irish National Education Department. He later served as secretary to the Devon Commission and to the Famine Relief Committee.

<sup>25</sup> Kennedy, p. 45.

<sup>26</sup> Ibid., p. 46.

part of the kingdom and none in another. Wilmot Horton stated before Parliament that his approval of a Poor Law for Ireland was dependent on the assimilation of the laws of the three kingdoms on the subject. Villiers Stuart, a champion in the struggle for Catholic emancipation, also stressed the fact that differences in the kingdoms affected each other and pressed the claims of the Irish poor on the Parliament.<sup>27</sup>

The pamphleteer, George Strickland, noted that under the existing inequitable position of Ireland, the greatest possible bounty was held up to the Irish laborer to transport himself into England and Scotland. He concluded that no check on migration was possible less than the assimilation of the condition and character of the Irish and British peasant.<sup>28</sup>

The English public came to see the Irish landlords as villains rack-renting their land at thirty to forty shillings an acre who threw the burden of the Irish poor on England to the injury of the English laborers. This stereotype irritated some. For example, Lord Clanricarde castigated those who sought a Poor Law to stop Irish labor migration. Rather than defending the Irish landlords, he argued that such a law would limit the rights of the sellers of labor.<sup>29</sup> However, pamphlets and petitions continued to reach Parliament complaining of the increase of parochial poor rates from the numbers of Irish

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<sup>27</sup> 2 Parl. Deb., XXI (1829), 403-404, 742, 1124.

<sup>28</sup> Strickland, pp. 96-97.

<sup>29</sup> 2 Parl. Deb., XXI (1829), 1151-1153; 2 Parl. Deb., XXIII (1830), 374-375.



poor and requesting a measure which would compel the Irish landed proprietors to support their own poor.<sup>30</sup>

Sir John Walsh, a member of Parliament and pamphleteer, listed the popular arguments in support of a Poor Law for Ireland, but he did not agree with them. He said that years of peace had given time to observe the problem, that knowledge of the subject had increased and so interest also, that the Union had increased commercial relations, and that the introduction of steam navigation had made travel certain and cheap. Furthermore, he noted that the influx of Irish laborers in search of employment was a compelling argument for an Irish Poor Law. However, Walsh urged that chief consideration be given to the object of benefitting Ireland rather than to the aim of ending the evils of Irish migration to Great Britain.<sup>31</sup>

Insisting that "our national reputation is at stake," Walsh said that the proposed Poor Law measure must be in the interest of Ireland in order to avert increased mistrust and hatred. He declared that the power to act in changing Ireland's institutions stemmed from the Union and that the Union had not as yet produced the promised results. More importantly, he argued that an Irish Poor Law would not be beneficial to England in the expected way. For example, Walsh claimed that it would not decrease the number of migratory Irish laborers.<sup>32</sup>

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<sup>30</sup> 2 Parl. Deb., XXV (1830), 1117; [George Poulett Scrope], "Poor Law for Ireland," Quarterly Review, XLIV (1831), 541-543; E. Jane Whately (ed.), Life and Correspondence of Richard Whately (London: Longmans, Green and Company, 1866), I, 401-402; Strickland, pp. 79, 83.

<sup>31</sup> William Rees Williams, "Walsh, Sir John Benn," D.N.B., XX (1899), 673. He was a Tory interested in Parliamentary reform; John Walsh, pp. 1, 9-10.

<sup>32</sup> Ibid., pp. 12-13.

Walsh berated a Poor Law solution for Ireland and counseled caution and patience in the choice of remedies. He minimized the evil effects of Irish emigration on Great Britain, adding:

Amalgamations will not take place without some partial temporary deterioration of England. . . . But we have ample grounds to hope that the progressive principle implanted in human nature, will counteract this retrograde tendency.<sup>33</sup>

Walsh and others believed that the only effectual cure for the problems of Ireland would be found in her gradual improvement and the disappearance of distinctions between Ireland and England. As if by sheer hope, Walsh thought that he saw Ireland actually in the process of improvement and thus derided "desperate remedies."<sup>34</sup>

Poulett Scrope, a member of Parliament and noted political economist, agreed with Walsh that the two islands' interests were intertwined. Unlike Walsh, however, Scrope saw the need for some Poor Law in Ireland. He was especially antagonistic toward the Irish landlords. He noted angrily the export of food from Ireland while one-fourth of the people were starving, the extortionate rents and the expense to England of a large military establishment in Ireland to protect these landlords. Scrope believed that an Ireland with a Poor Law might be a source of revenue instead of an expense and also a market for English goods. He criticized Walsh's pamphlet of 1830 for omitting the circumstances of Ireland's plight, that is, the violence engendered by evictions, the evils of mendicancy, and the heavy burden of alms on the poor classes.<sup>35</sup>

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<sup>33</sup> Ibid., pp. 98-101.

<sup>34</sup> Ibid., pp. 110, 116, 120.

<sup>35</sup> [Scrope], pp. 539-540, 543-545.

The passage of the New English Poor Law in 1834 did not relieve the stresses which Irish emigration placed on the welfare of the Union. The separate Poor Law Commission for Ireland had yet to produce its final report. An article in the Westminster Review in 1835 indicated that it was a popular notion that an Irish Poor Law was to protect England from Irish labor. The author of the article was favorable to laissez faire thinking. Thus, he was opposed to the law of settlement and to those who would introduce it to Ireland.<sup>36</sup>

He supported the view that Irish laborers were employed in England because of need and not because they underbid others. For example, the Irish served as dock workers because of need and not because they underbid others. Evidence convinced him that relief motives kept the English laborers in their parish even if good wages were offered elsewhere. Also, it was said that the Irish laborers in England were ambitious enough to go from one harvest to a second and especially to one like hops which was undesirable to the English. Edwin Chadwick, the Secretary of the English Poor Law Commission, was cited as having found no fault with Irish labor in British agriculture. The article admitted the problems associated with Irish labor in manufacturing but said that their productivity there was better than a subsistence existence in Ireland.<sup>37</sup>

This view, which was so accommodating to those who desired the free movement of labor, did not dissuade humanitarians and some economists from fearing a mass migration of Irish laborers. Robert Torrens, an important political economist, stated in 1837:

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<sup>36</sup>"Irish Labourers," Westminster Review, XXII (1835), 66.

<sup>37</sup>Ibid., pp. 68-71, 71-77, 82, 85-88.

England and Ireland are so closely connected . . . that the reward of labour throughout the United Kingdom must speedily conform to one common level. If Irish wages are not raised to an equality with English wages, English wages must fall to an equality with Irish wages.<sup>38</sup>

The remedy which this Irishman advanced was colonization. He became one of the leading advocates of emigration abroad and published much on the subject. Up to the passage of the Irish Poor Law there continued to be support for such or a similar poor relief measure from the argument that England be protected from Irish emigration.<sup>39</sup> And if some contended that a Poor Law would not have the effect of keeping the Irish at home, others broadened the problem of Irish poverty to include the preservation of the Union itself.

Concern for the welfare of the Union led contemporaries easily to other problems associated with Ireland's poverty. Because of O'Connell and his supporters espousing repeal, there was strong interest in the state of the Union and of circumstances threatening its future. Ominous reference was made to histories of unions that failed, such as England and America, Spain and Portugal, and Holland and Belgium. Thomas Wyse, a prominent Irish Whig, wrote of these unions:

They were guarded, like the Irish, by irrevocable organic acts on paper--but the sanction of these laws was not in human hearts, but in the prisons and bayonets of the stranger. Keep Ireland united to England, govern her equally with England that she may continue united. . . . The people should act for themselves and not for their

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<sup>38</sup> Robert Torrens, Letter to . . . Lord John Russell on the Ministerial Measure for Establishing Poor Laws in Ireland (London: Longman, Rees, Orme, Brown and Green, 1837), p. 53.

<sup>39</sup> Lionel Robbins, Robert Torrens and the Evolution of Classical Economics (London: Macmillan and Co., 1958), pp. 4-5, 144-145; 3 Parl. Deb., XXIX (1835), 318.

masters; the many for the many, and not for the oligarchy. . . . The Church Bill, the Municipal Bill, the Poor Law Bill, the Education Bill, will be steps marking this transition from the crooked and huxtering policy of the past, disgraceful to the most pettifogging little village, to a strong and noble nation.<sup>40</sup>

The rental system, tithes and Church property, unemployment, and peace and order were problems affecting the state of the Union, and all were closely associated with poverty in Ireland. At the risk of venturing slightly afield from the discussion of poor relief in Ireland, it seems quite pertinent to a complete understanding of the origins and causes of the Irish Poor Law that attention be given to these problems. The problems of tithes and Church property were not so associated with the plight of the poor as were the rental system and unemployment, yet the former were grievances that often became the focus of more general and deeper grievances of the poor. Also, these problems are connected causally and are separable only for purposes of investigation.

The rental system affected the poor because the failure to meet high rents often meant eviction. And eviction in an agricultural country like Ireland was often tantamount to destitution. Because of insecurity of tenure and ever-increasing rents, the poorer classes were constantly threatened with the spectre of destitution.<sup>41</sup>

The solution most advanced by leading men for the evils of the rental system was not tenant right but the curbing of subletting. The latter was to facilitate the clearing of estates. The theory behind this move dated from

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<sup>40</sup>Thomas Wyse, "The Irish Question," British and Foreign Review, III (1836), 293-294, 302.

<sup>41</sup>Woodward, pp. 316-318; Black, pp. 9-10.

Arthur Young's evaluation of Irish agriculture in the late eighteenth century. Briefly, it held that larger farms were necessary to scientific and profitable agriculture and that the peasant's attachment to the land must be stopped. From these steps Ireland would prosper and the poor would benefit from the establishment of a wage earning economy as subsistence agriculture disappeared.<sup>42</sup> Thus, the curbing of subletting was seen as an ultimate benefit to the poorer classes and as a solution to Irish poverty.

It was only in accordance with this older theory that Lord Redesdale made a remark during a Parliamentary discussion of the relief of the Irish poor in 1827. He suggested that the best solution might be the introduction of a better system of farming and the abolition of small farms as in England.<sup>43</sup>

While this notion was quite popular, it did have critics. One of these was Robert Torrens. He estimated that the consolidation of farms necessary to place Irish agriculture on the same footing as that of England and Scotland would throw some 700,000 adult laborers out of employment.<sup>44</sup> This evaluation revealed the possible cost in human misery of over-simple solutions when applied to Ireland. Yet, the problem of the rental system in Ireland often involved such reckless solutions.

The possibility that efforts to prevent subletting might increase destitution did not deter Parliament. In 1826 the Irish Subletting Act was passed. This legislation was very favorable to original renters and actual

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<sup>42</sup> Arthur Young's Tour in Ireland, II, 138-144, 157-191, 281-292; Black, pp. 18-19.

<sup>43</sup> 2 Parl. Deb., XVII (1828), 130-131; George Barker, "Mitford, John Freeman," D.N.B., XIII (1894), 527-529. Lord Redesdale (Mitford) had been Lord Chancellor of Ireland 1802-6.

<sup>44</sup> Torrens, p. 54.

landowners since it simplified the legal procedure for evictions and paved the way of estate clearance. It compelled observance of contracts by tenants and prevented the further subdivision of holdings by existing tenants. Part of the support for the Subletting Act had come from the belief that it would obviate the need for "nostrums" such as emigration or a Poor Law and that it would stimulate industry in Ireland to relieve unemployment.<sup>45</sup>

The Subletting Act did cause problems. Irresponsible landlords or their occupiers found it easier to execute mass clearance of sub-tenants than to find employment and housing for the displaced. A severe critic of the new legislation was Michael Sadler.

Sadler, an important social reformer and political economist, was drawn to Irish affairs in 1827. He became the gadfly of the Parliament in his advocacy of a Poor Law for Ireland. Sadler was the chief opponent of Malthusian belief in the over-population in Ireland, and he led the protest against the application of individualistic political economics to the problem of Irish distress. This latter economic view was derived from David Ricardo's teaching, and it was the support of legislation like the Subletting Act.<sup>46</sup>

This gadfly spoke and wrote at length on the possibility of Ireland supporting a much larger population if her land were put to better use. This latter goal had also been that of the proponents of the subletting measure. Sadler cited numerous legal authorities to prove that exorbitant rent was particularly the evil effect of absenteeism and short tenure. He held absenteeism responsible for the clearings that rent failure occasioned. Sadler

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<sup>45</sup> 2 Parl. Deb., XVIII (1828), 573-574; Woodward, p. 318.

<sup>46</sup> "Sadler, Michael Thomas," pp. 594-595.

held the view of a Christian socialist in that he denied that the pursuit of self-interest necessarily benefitted the community.<sup>47</sup>

John McCulloch, the rigorous disciple of Smith and Ricardo, harried Sadler with another interpretation of the facts concerning the rental system of Ireland. McCulloch considered that the subletting of the land had been the great cause of population increase, yet he believed that the landlords had learned their lesson from this mistake. Undismayed by Sadler's sense of outrage at schemes for clearing estates of surplus tenants, McCulloch insisted that those interested in the prosperity of Ireland must favor clearance as best in the long run.<sup>48</sup> As the debate on the value of a subletting measure continued, estate clearance was a reality faced by many tenants.

Where eviction was not the sword dangling over the heads of the tenants, there was often the more subtle evil of increased rents. Meeting high rents kept the tenant's position very insecure, and the threat of possible eviction and destitution faced them constantly. John Revans, the Secretary of the Irish Poor Law Commission, attributed the poverty of Ireland to the landlords raising the rent in response to the intense competition between laborers for land. He added, "From the moment the farmer starts making a profit, the landlord raises the rent. The result is that the farmer is afraid to make improvements, lest

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<sup>47</sup> Ibid., pp. 595-596; Sadler, Ireland: Its Evils and Their Remedies (London: John Murray, 1828), pp. 30-32, 47. Sadler cited Edmund Spenser's State of Ireland. Works, VI, 33; Dean Swift's View of the State of Ireland, VI, 159; Archbishop Boulter's Letters, I, 292; Gordon's History of Ireland, II, 241; Newenham's Inquiry, p. 15.

<sup>48</sup> [John R. McCulloch], "Sadler on Ireland," Edinburgh Review, XLIX (1829), 300-301, 311-314.



the landlord should raise his rent by an amount greater than the value of the improvements and is simply concerned to keep alive."<sup>49</sup>

Another development accentuated the plight of the poorer tenants at this time. An unexpected consequence of Catholic emancipation in 1829 was the disfranchisement of the forty shilling freeholder in Ireland. One of the results of this disfranchisement was the frequent loss of tenancy. As such a step frequently meant destitution for the tenant, there was concern in Parliament over the adequacy of local provision for the aged and destitute in Ireland to meet the calamity.<sup>50</sup>

A proposal to amend the Subletting Act in 1830 produced an interesting discussion. There were varied arguments for its repeal. One stated that the Union between Ireland and England would never be complete until the statute law was made common to both countries. Daniel O'Connell, at the height of his prestige as leader of Catholic emancipation, said that the Subletting Act was mischievous in operation and gave as proof that seven thousand were famishing in Dublin as victims of evictions following the enactment of the Act. Furthermore, O'Connell claimed that the Act actually furthered subdivision since no man would lease more land than one man could make use of. Thus, the number of marginal workers increased which in turn increased the number of paupers.<sup>51</sup>

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<sup>49</sup> Alexis de Tocqueville, Journeys to England and Ireland, translated by George Lawrence and K. P. Mayer (New Haven: Yale University Press, 1958), p. 118: Selection of Parochial Examinations . . . from Evidence Received by His Majesty's Commissioners (Dublin: Milliken and Son, 1835), p. 199.

<sup>50</sup> 2 Parl. Deb., XXI (1829), 1149-1150; 3 Parl. Deb., VI (1831), 793; 3 Parl. Deb., XXXIII (1836), 604; Longfield, Lectures on Political Economy . . . 1833, p. 6.

<sup>51</sup> 2 Parl. Deb., XXII (1830), 536-539.

While public interest was not very great, as evidenced by the poor attendance in Parliament during the discussion of the issue, there is proof that the upturn in ejections following the application of the Subletting led to renewed desire for the introduction of a Poor Law into Ireland. Petitions favoring such a step were read in Parliament. There was also evidence that the increased unemployment which followed estate clearances produced disorder in Ireland. In this quandry William Smith-O'Brien appealed, "It was in the power of the government to produce a more healthy ratio of population to employment than at present existed there." In a dilemma himself, Smith-O'Brien said that somehow the land in Ireland must be relieved of the great pauper population which subsisted upon it, but he gave no solution as to how this was to be done.<sup>52</sup>

The revival of proposals of a Poor Law for Ireland may have been a means of threatening the Irish landlords. The spectre of poor rates was expected to make them behave more responsibly toward their tenants. The introduction of the Poor Law was urged sometimes with this effect in mind rather than for a more positive motive. Alexis de Tocqueville found this motive present in many of those whom he questioned about the need for the introduction of the Poor Law when he toured Ireland in 1835.<sup>53</sup> It was also believed that a Poor Law would discourage occupiers from sub-dividing because of the poor rates. Likewise, it was expected that a legal provision for the poor would keep the landlords in residence.<sup>54</sup>

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<sup>52</sup>3 Parl. Deb., I (1830), 513, 592, 662; 3 Parl. Deb., VI (1831), 792.

<sup>53</sup>3 Parl. Deb., II (1830-1), 682-684; 3 Parl. Deb., VI (1831), 831, 834; de Tocqueville, pp. 124, 141-142.

<sup>54</sup>[Robert Southey], "Ireland, Its Evils and Their Remedies," Quarterly Review, XXXVIII (1828), 80-81.

If the antagonism toward the Irish landlord found an outlet in Poor Law advocacy, there were more positive motives too, for example, that the elimination of mendicancy and petty robbery by a Poor Law would be an economy move benefitting all. It was hoped that legislation recognizing the Irish poor would permit the registration of paupers throughout the kingdom and thus enable the government "to command at any time a knowledge of the degree to which the labouring population of the three kingdoms exceeds or falls under the demand for it." It was foreseen that such information might be applied to regulating taxation and many other purposes.<sup>55</sup>

An especially blistering attack on absentee Irish landlords appeared in Blackwood's Edinburgh Magazine in 1831. The author, David Robinson, wrote in the passion aroused by the movement for the Repeal of the Union and was anti-Catholic in tone. It was Robinson's opinion that an Irish Poor Law should have been enacted before Catholic emancipation. He did not accept the popular notion that all Irish evils flowed from English misgovernment. Neither did he feel that introducing English capital would correct these evils. Robinson was sure that such capital would only find its way into the pockets of the absentee landlords in overdue rent payments. He denied the wage-fund theory of the reigning political economists. Instead of seeing a want of capital among so many laborers, he saw the fault as lying in the distribution of the produce of the land with the lion's share going to the landlord. To Robinson a Poor Law would be the best solution for all concerned, on the one hand preventing

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<sup>55</sup>[Thomas Bruce and Robert Southey], "Causes and Remedies of Pauperism in the United Kingdom," Quarterly Review, XLIII (1830), 243.

emigration to Great Britain and on the other hand raising wages and the standard of living in Ireland.<sup>56</sup>

In 1831 O'Connell stated that he saw no other remedy for the poor of Ireland but a compulsory provision for them. He was now somewhat reconciled to a solution for Ireland's poverty to which he had long been opposed, that is, a Poor Law solution. However, he added that Ireland should only accept a modified Poor Law and not the English system. O'Connell gave as a reason for his change of heart the fact that since the Union the advantage of the landlord over the tenant and laborer had been increased by twenty-five statutes. The Subletting Act of 1826 had been one of them.<sup>57</sup>

Sir John Burgoyne, just appointed chairman of the Board of Public Works in Ireland, also was wary of the dominance of landlords in Irish society. He insisted that the source of distress in Ireland lay in the landlord-tenant relationship where too much share of the profits went to the former. He stated that public works on roads and canals were unavailing in helping the poorer tenants since all the wages went to the landlords in higher rent. He besought the landlords to resist the temptation of accepting ridiculous bids for their lands. Stressing the absolute need to distribute Ireland's wealth more equitably, he said that even acts of kindness by the landlords to the poor, such as giving them employment, ultimately benefitted the former.<sup>58</sup>

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<sup>56</sup>[David Robinson], "The State of Ireland," Blackwood's Edinburgh Magazine, XXIX (1831), 467, 471-472, 477-478, 480.

<sup>57</sup>Cusack, I, 122, 127.

<sup>58</sup>[Burgoyne], pp. 18-20, 22-27; Henry Morse Stephens, "Burgoyne, Sir John Fox," D.N.B., III (1886-7), 342-344. He served on the Board of Public Works for fifteen years.

Burgoyne's insights laid bare the shortcomings of benevolence to work an improvement in the state of the Irish poor. Thus to him, attempts to improve the cabin, diet and habits of the poor were to begin at the wrong end, a mistaken policy. Likewise, in his opinion the significant subscription of charity for the famine had turned largely to the benefit of the landowners as, for example, the permanent improvement of their estates by the employment of the poor. Like others, Burgoyne found that recent acts of Parliament had much increased the power of the landlord to gain his rent regardless of its exorbitance.<sup>59</sup>

After having indicated the character of the landlord-tenant relationship and what approaches were of little value in remedying the poverty of the tenants, Burgoyne proposed his own remedies. Like so many of his contemporaries, fear of drastic measures moderated his reform posture. He advocated no Poor Law measure nor any similar substantial reform. Instead, his suggestions rested upon voluntarism. With time rather than with direct aid of the government or the introduction of outside capital, Ireland could improve herself. Burgoyne went so far as to suggest that landlords, who paid no poor rates and no taxes, would make the sacrifice of lowering rents and prolonging tenures as they were brought to see that the tenants would be the instruments of their own prosperity.<sup>60</sup>

Such an idealistic solution was rejected by more perceptive and critical experts on Irish affairs. The economist Robert Torrens denied the fact that the remission of rent would afford any relief to the poorer laborers, but he

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<sup>59</sup> [Burgoyne], pp. 24-27.

<sup>60</sup> Ibid., pp. 30-31.

felt that thereby over-population would be increased.<sup>61</sup> One of the Parliamentary authorities on Irish affairs, Thomas Spring-Rice said that the principal need was to take from the shoulders of the occupiers a large share of their present burdens and to impose them on the landlords. This was his alternative to a system of poor laws, which in the eyes of some would have accomplished the same end. Spring-Rice was apparently hinting at some new taxation system in Ireland. He did indicate also that the remedies of emigration and public works be applied to Ireland.<sup>62</sup>

The animosity of leading English figures toward the irresponsible element among the Irish landlords as rent collectors without duties was delineated by James Bicheno.<sup>63</sup> Lord John Russell, the Whig leader, cited in Parliament the truism that the rights of property were exercised with rigor in Ireland.<sup>64</sup> Edward Twistleton spoke from his long experience on the Poor Law Commission of England, Scotland and Ireland when giving the same assessment of landlord behavior in 1849. As Chief Commissioner of the Poor Law in Ireland he stated that the landlords wanted rent alone until there was discussion of a Poor Law and that they took no interest in their tenants' plight.<sup>65</sup>

In 1836 Sharman Crawford cited the abolition of the forty shilling freeholders, the enlarging of farms for pasture, and the expulsion of tenantry for

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<sup>61</sup>Torrens, p. 46.

<sup>62</sup>2 Parl. Deb., XXI (1829), 1143.

<sup>63</sup>James Bicheno, Ireland and Its Economy (London: John Murray, 1830), pp. 123, 129.

<sup>64</sup>3 Parl. Deb., XLVI (1839).

<sup>65</sup>First Report of the Select Committee of the House of Commons on the Irish Poor Law (S.P. 1849, H.C. 58, XV, Part I), Question 4380.

voting independently as causes for the misery of Ireland. These were all connected with the problem of the rental system. For his criticism Crawford was accused of having libeled the Irish landlords, yet he had only read extracts from the evidence of the Commissioners of the Poor Inquiry.<sup>66</sup> In an indirect manner Lord John Russell, while offering some extenuating evidence in favor of the Irish landlords, revealed that only the threat of violence kept them from evicting tenants.<sup>67</sup>

There is need for a fair perspective of the rental system as a chief cause of Irish poverty. Without attempting to defend the role of the landlords, it is necessary to show the complexities of the landlord-tenant relationship. One useful source for this purpose is a pamphlet published by Lord Clements in 1838. It is a study of poverty in Ireland. In it Clements found that the landlords in parts of Ireland, such as the west, were generally needy themselves.<sup>68</sup>

He described the rundale, a joint tenancy or group holding, which was common in the west. On rundales microscopic division, arguments over division and the lack of surveys worked great harm since every individual was liable for the rent, and self-advancement was impossible. Clements believed that the system of joint-tenancy would have been dissolved by the landlords or the state

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<sup>66</sup> 3 Parl. Deb., XXXIII (1836), 604, 606; Sidney Lee, "Crawford, William Sharman," D.N.B., V (1888), 58-59. He was the leading tenant right advocate and no friend of O'Connell.

<sup>67</sup> 3 Parl. Deb., XXXVI (1837), 463-464.

<sup>68</sup> Lord Clements, The Present Poverty of Ireland (London: Charles Knight, 1838), p. 85. He was an assistant commissioner in the Irish Poor Inquiry and a member of Parliament. See similar views in: Irish Landlords As They Are, and the Poor Law Bill (Dublin: Hodges and Smith, 1838), pp. 5, 10-11, 14, 19; Jonathan Pim, The Condition and Prospects of Ireland (Dublin: Hodges and Smith, 1848), pp. 43-48; de Tocqueville, pp. 158-159.

if they had been compelled to provide for the destitute. As it was, the joint-tenancy always escaped the burden of supporting their own destitute. These went elsewhere to raise alms. Clements saw that a Poor Law would have a drastic effect on the joint-tenancy system. They would not be able to pay their own poor rates and would seek relief in neighboring districts. The resulting burden of rates would create a cry against the joint-tenancies.<sup>69</sup>

One special feature of the Irish rental system was tithes. Even the most cursory attention to the problem of tithes involves touching upon the problem of Church property, of which the tithes were a part. Discussion of Ireland's poverty often resulted in the pointing of accusing fingers, and the Church of Ireland shared with the landlords in the accusations of guilt. O'Connell was one who said that the excessive income of the Church should be available to the poor.<sup>70</sup>

The wealth of the Church of Ireland was discussed in Parliament in 1832 in connection with the needs of the poor. Thomas Wyse demanded that the Church bear some of the burden of supporting the poor which they had long neglected. Richard Sheil, a prominent leader of Catholic emancipation, added, "A system of Poor Laws for Ireland would be premature, till such part of the Church property as was not required for the maintenance of the Clergy was applied to the support of the poor."<sup>71</sup> Defenders of the Church, such as Thomas Spring-Rice, felt that the Parliament had no right to take its property for application to the relief of the poor.<sup>72</sup>

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<sup>69</sup> Clements, pp. 85-90, 98-99, 101-102.

<sup>70</sup> Cusack, I, 118.

<sup>71</sup> <sup>3</sup> Parl. Deb., XIII (1832), 843, 847; Robert Dunlop, "Sheil, Richard Lalor," D.N.B., XVIII (1897-8), 17-21.

<sup>72</sup> <sup>3</sup> Parl. Deb., XIII (1832), 849.



Reference to the subject of using Church lands for poor relief hinged on the historical fact that much of that property had been obtained in bequests which stipulated devoting a due proportion of revenues to the relief of the poor. Lord Morpeth, who had supported Catholic emancipation, presented a significant petition in 1832 from Leeds favoring the application of Church lands to their original purpose. On the same occasion James Grattan and Joseph Hume stated that tithes and Church property ought to bear a large proportion of the charge for the support of the poor in Ireland. John Weyland, who had devoted much time to the study of the English Poor Law, introduced the moderating advice that not only the Church bear the burden of the poor but that the landowners bear their just share too.<sup>73</sup>

The subject of tithes was more prominent in the discussion of Irish affairs than the application of Church property to poor relief. The paying of tithes by the Irish Catholics led to controversy and actual violence in the 1830's. This distracted the attention of British politicians from the issue of a legal provision for the poor. Michael Sadler, in particular, saw the tithes issue as a threat postponing the discussion of a Poor Law.<sup>74</sup> It is hard to judge the truth of Sadler's view. The Irish certainly had made the tithes issues into a basis for virtual social war by 1835. Whether or not it delayed action on the Irish Poor Law is difficult to determine.

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<sup>73</sup> 3 Parl. Deb., IX (1831-2), 709-711; George Barker, "Howard, George William Frederick," D.N.B., X (1891-2), 19-21; Lord Morpeth (Howard) was Chief Secretary for Ireland 1835-9; Edward Irving Carlyle, "Weyland, John," D.N.B., XX (1899), 1301. He was a chief opponent of Malthus' theory of population.

<sup>74</sup> 3 Parl. Deb., IX (1831-2), 714-715.

The tithes war was the background for the appearance of one of the greatest of all the officials of the crown who governed Ireland, Thomas Drummond. The entire direction of Drummond's policy as Undersecretary to Ireland was to bring domestic peace. While in 1835 the Irish administration was nominally entrusted to Lord Mulgrave, the Lord Lieutenant, and Lord Morpeth, the Chief Secretary, Drummond was really in command, so stated Drummond's biographer.<sup>75</sup> The policy of Drummond rested upon the pledge of the government of Lord Melbourne to pass remedial legislation for Ireland made in April of 1835. As of January 1839 nothing had been done to redeem this pledge although measures on the subject of tithe reform and reform of municipalities had passed the House of Commons only to meet rejection in the House of Lords.<sup>76</sup>

Meanwhile, Drummond took steps which his limited authority permitted. Thus, he advised opening the Irish constabulary to Catholics, threatening to resign if they were excluded. His handling of the Constabulary Bill, the Orange issue, and the collection of tithes gained a respect for the law and its officers which began and ended with his administration. His justice impressed public opinion. For example, in his famous reply to the Tipperary magistrates, who had asked for coercive measures to suppress agrarian outrage, Drummond cited the increased ejections in Tipperary and refused their request declaring, "Property has its duties as well as its rights."<sup>77</sup> Drummond brought

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<sup>75</sup> R. Barry O'Brien, "Drummond, Thomas," D.N.B., VI (1888-9), 42.

<sup>76</sup> O'Brien, Thomas Drummond, Under-Secretary in Ireland 1835-40. Life and Letters (London: Kegan Paul, Trench and Co., 1889), p. 272.

<sup>77</sup> Ibid., pp. 221-222, 244, 284.

the measure of order and tranquility to Ireland which permitted the peaceful introduction of the Poor Law in 1838.

Certainly, the Catholic peasantry felt strongly about the subject of tithes, and their unrest did the state of Ireland's poor no immediate good. Some British advocates of poor relief wondered of what significance the extinction of tithes, their composition into the rent, or their appropriation to public uses would have on the immediate problem of the poor. William Alison, the chief advocate of Scottish Poor Law reform and opponent of Thomas Chalmers, believed that tithes were of minor concern compared with landlord-tenant relations.<sup>78</sup>

There was another problem related to poverty in Ireland which was probably equal in importance to landlord-tenant relations. This was the problem of unemployment. While some contemporaries saw unemployment as only the symptom of a greater evil, overpopulation, unemployment was an objective fact while overpopulation was only a widely held theory.

As Ireland's economy was overwhelmingly agricultural, her unemployment and the destitution which it produced were not complete separable from the rental problem. According to Torrens the low state of Ireland's agriculture was at the heart of Ireland's poverty. He wrote in an 1837 pamphlet:

The Irish labourer earns little, because he produces little. . . . The proximate cause of the destitution which prevails in Ireland is the low effective power of agricultural industry. . . . No measure for relieving the distress

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<sup>78</sup>[William P. Alison], "Justice to Ireland--A Poor Law," Blackwood's Edinburgh Magazine, XL (1836), 822; Joseph Frank Payne, "Alison, William Pulteney," D.N.B., I (1885), 290-292. He was a notable physician whose insight that poverty and unfavorable social conditions assisted the spread of disease was important in the development of national health measures.

of the Irish people can have a chance of success unless it be calculated to augment the productive powers of agriculture in that country.<sup>79</sup>

Torrens' view was to improve agricultural productivity in order to bring prosperity to the vast numbers of the Irish who were dependent upon agriculture.

Such improvement seemed impossible without the displacement of a large proportion of the existing labor force in the agricultural segment of the economy. Could emigration or industrialization schemes absorb such numbers? How long would these schemes take to be implemented? Could Ireland's pressing poverty wait that long? The answers to these questions would dictate the course of action to be pursued. Certainly, something had to be done about the unemployment in Ireland. The unemployment seemed due to Ireland's economy being predominantly agricultural. The population density of England and Ireland was about the same, but England had a large industrial establishment. Thus, in England 33% were in agriculture and 46% in trade and manufacturing while in Ireland the figures were 62% and 19% respectively. From these facts a pamphleteer concluded that improved agriculture would result in over two million unemployed laborers.<sup>80</sup>

William Stanley, a pamphleteer, evaluated the same facts and reached a different conclusion. He was a consistent critic of the Commission of the Irish Poor Inquiry (1833-6) and their arguments. Stanley did not believe their statistics as to the excess of agricultural laborers. (The Melbourne ministry would likewise question these statistics.) He wrote that not all those

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<sup>79</sup> Torrens, pp. 50-51.

<sup>80</sup> Philo-Hiburnus, Remarks on the Bill for the More Effectual Relief of the Destitute Poor in Ireland (2nd ed., London: James Ridgway, 1837), pp. 18-21.

enumerated as laborers were dependent on hire. When he subtracted those occupying land or forming part of the landowners' families, only a figure half as large remained. Using this new figure Stanley concluded that the proportion of farm laborers to farm acreage was approximately the same as in England.<sup>81</sup> If he was correct, the argument of agricultural over-population in Ireland needed modification.

The existence of the very large labor force in agriculture depressed wages in Ireland. This was partially true because of supply and demand effects. The more important reason was the fact that many of the day laborers did not work to earn their daily bread but only to supplement the produce of their potato patch. The wage earnings were largely to pay the rent on the potato patch. This explained the contradiction in Irish economics, the daily wage being less than the minimum necessary to sustain life. In the search for employment in a glutted labor market the poor laborers drove wages down to the vanishing point by competitive bidding. In the 1820's daily wages of five or six pence were not unheard of. The productivity of the Irish laborer was also very low. Under these circumstances Lord Clement could advise that a decrease in the rent would be the equivalent of an increase in the rate of wages.<sup>82</sup>

Putting the interpretation of census tables and statistics aside, by 1837 Ireland had long suffered from unemployment, and whether or not this was a symptom of over-population, it had to be solved somehow if Irish destitution

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<sup>81</sup>William Stanley, Remarks on the Government Measure of Establishing Poor Laws in Ireland (London: Charles Knight and Co., 1837), pp. 3, 6-9. He prepared this pamphlet at Nicholl's request.

<sup>82</sup>Clements, pp. 80, 112; O'Brien, The Economic History of Ireland from the Union to the Famine, pp. 17-18; Stanley, p. 35.

was to be checked. A popular solution advanced to the unemployment problem was the investment of large amounts of new capital in Ireland. The vogue was that the application of capital be at the whim of the capitalists and not by government direction. To many, therefore, the object was to make Ireland an attractive field for investment. The discussion of a Poor Law for Ireland often was carried on in reference to its probable effects on the flow of capital to Ireland. This goal of attracting capital to Ireland affected the attitudes and behavior of British leadership toward such aspects of Irish society as absenteeism and crime, both of which supposedly deprived Ireland of capital. As years passed in the debate on a legal provision for the poor of Ireland, the proponents of a Poor Law made a case of the probability that the adoption of such a measure would keep the absentee landlords at home and effectively curb crime.<sup>83</sup>

The possibility that a provision for the Irish poor might curb crime and violence was alluring to the government. Irish crime was often associated with the insecurity of the tenantry in face of rackrenting and evictions. John Revans believed that the alleviation of these evils could be accomplished by providing the security of legal poor relief. He said:

A government which can remove these will sooner or later cut the ground from beneath the agitator. . . . If the peasantry could feel secure of a subsistence (it would) cease to commit crimes and bid excessive rents.<sup>84</sup>

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<sup>83</sup>James Doyle, Letter to Thomas Spring-Rice, pp. 18-20; 3 Parl. Deb., III (1831), 1210; [Burgoyne], p. 30; Herman Merivale, Five Lectures on the Principles of a Legislative Provision for the Poor in Ireland (London: Charles Knight, 1838), pp. 10-30; P. B. Ryan, Provision for the Poor, Without any Additional Taxation (Dublin: William Frazer, 1838), pp. 3-4.

<sup>84</sup>[Alison], pp. 822, 824.

He foresaw that a provision for the poor might stop the peasants from taking land at the highest price because they would not put themselves in an economically risky position for fear of losing their claim to relief. Revans demanded, "The legislature must confer on every man the right to demand the provision," insisting on this stipulation as he felt that otherwise no feeling of security would exist. It was the security of the right to poor relief which he hoped would dissolve the peasant's strong feeling toward land possession.<sup>85</sup>

Undoubtedly, this analysis had a strong appeal. It was used by Lord John Russell in 1837 as an argument for an Irish Poor Law. Accordingly, he reasoned, if pauperism created the demand for land, a legal provision for the Poor would give the paupers security and lessen the demand for land at impossibly high rents.<sup>86</sup>

The response of O'Connell was to deny this logical deduction. O'Connell said that the land hunger in Ireland was so great that not even taking 2,300,000 paupers (the figure estimated by the Irish Commission of Inquiry) out of the market would reduce the extreme competition for land and the high rents that it produced. Furthermore, he held that it was the scramble for land which absorbed all of Ireland's capital.<sup>87</sup>

It was at this time that George Cornewall Lewis' study of the causes of Irish atrocities was receiving special attention by the Whig ministry. In 1837 both Lord John Russell and Lord Howick (Earl Grey) referred to his work

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<sup>85</sup> Ibid., pp. 822-823.

<sup>86</sup> 3 Parl. Deb., XXXVI (1837), 485-491.

<sup>87</sup> Ibid., p. 491.

before Parliament in the government's proposal for an Irish Poor Law. Since 1833 Lewis had been an agent of Russell, first making a study of Irish laborers in England which was published in 1835 as an appendix to the First Report of the Irish Commission of Inquiry.<sup>88</sup>

In 1836 his book concerning the connection between crime and poverty in Ireland appeared. It was to have great influence. The subject of violence in Ireland and its causes had long received some attention but now was to become a chief focal point in the debate over Irish poor relief. It often found expression in the question "would a poor provision end the violence in Ireland?"<sup>89</sup>

Not everyone answered in the affirmative. For instance, in 1833 O'Connell had not seen a Poor Law as ending violence nor protecting property in Ireland, and he cited evidence from the English Poor Law Commission (1832-4).<sup>90</sup>

The following year, however, the contrary view was expressed by Poulett Scrope. Speaking on Lord Althorp's measure for the suppression of disturbances in Ireland, Scrope said that the character of the outrages was long the same, that is, they came from want of work, wages and protection to the Irish peasant. As additional circumstances, he cited the severity of Irish law, the lack of a Poor Law and frightful ejections. He had published four pamphlets on poverty and the English Poor Law before entering Parliament. In 1834 he declared his intention not to vote for any coercion measure unless some attempt

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<sup>88</sup> Ibid., pp. 462, 494; George Barker, "Lewis, Sir George Cornwall," D.N.B., XI (1892-3), 1057.

<sup>89</sup> Inglis, pp. 383-384; Henry George Ward, The First Steps to a Poor Law for Ireland (London: James Ridgway, 1837), p. 3.

<sup>90</sup> 3 Parl. Deb., XVII (1833), 872.



be made to ameliorate the condition of the Irish peasantry. Scrope then proposed a general poor relief amendment to Althorp's measure. He continued to harass the government for its alleged negligence toward the Irish poor in the years that followed.<sup>91</sup>

The good work of Drummond emphasized what positive government could do to curb violence in Ireland. To this fact was now added the negative corollary, the connection between crime and poverty, which was publicized by George Cornwall Lewis' book On Local Disturbances in Ireland. The combined effect of these two separate achievements on public opinion was momentous in forwarding the cause of Irish poor relief.

Lewis presented the view that an important element in the decision of whether or not a Poor Law be introduced into Ireland would be whether or not it was a means of establishing tranquility. He found that both the old Irish Parliament and the British Parliament had been very negligent in looking into the causes of tumults in Ireland. The earliest investigation had been in 1824. In assessing the historical causes for the plight of Ireland, Lewis blamed much on English misgovernment and even more on the excessive powers of the Irish landlords. This was a long-used Whig argument. He went on to claim that his age felt a greater sense of humanity toward the Irish. Returning to his main theme, Lewis cited rents as a special source of disturbances in Ireland and excerpted considerable evidence from committee investigations on terrorist

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<sup>91</sup>3 Parl. Deb., XXV (1834), 286-287, 289; Webb, Part II, I, 44; Thomas George Bonney, "Scrope, George Julius Poulette," D.N.B., XVII (1897), 1074.

activity. Again and again he made particular reference to poverty, ejection and unemployment as causes of crime.<sup>92</sup>

As Lewis saw it, the culminative effect of the disturbances was to alienate each class from the other. This was undoubtedly true. If one recalls the violence of the Irish crimes which filled contemporary newspapers, the mutual distrust of the classes becomes understandable. The impact on the middle and upper classes of news reports of the killing of children, cutting out of tongues, mutilation of ears and noses, cardings and beatings, maiming of animals, and the burning of homes perpetuated class hatred and disgust of the British for the Irish.<sup>93</sup>

After presenting his dreary picture of Irish crime and violence, Lewis offered his remedies. He said that criminal law should be only the ultimate sanction and the less reliance placed on it the better. He suggested that responsible people in government learn from the proverb "when the heart is past hope, the face is past shame." To him the plan of prevention offered the best chance of success. Lewis stressed the necessity of understanding the viewpoint of the poorer classes for whose benefit the disturbances were carried on. This understanding began with the realization that there was no legal provision for the poor, their only recourse being mendicancy.<sup>94</sup>

Lewis listed the classes of mendicants distinguished by the Irish Poor Commission, a useful delineation. These were: first, wandering beggars who

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<sup>92</sup>George Cornewall Lewis, On Local Disturbances in Ireland and on the Irish Church Question (London: B. Fellowes, 1836), pp. iii-iv, 45, 51-52, 54, 68-69, 77, 84-86, 88.

<sup>93</sup>Ibid., pp. 298-299.

<sup>94</sup>Ibid., 308-309.

were chiefly cripples, etc. and some imposters, all of whom expected money alms; second, professional strolling beggars, often aged, who called themselves "out of work" mechanics; third, town beggars with fixed domiciles who were old men and women not of bad character; fourth, poor housekeepers relieved by immediate neighbors and not resorting to general begging.<sup>95</sup>

The single greatest cause of violence was mass ejection. As land legislation after the Union had made ejection proceedings more easy, landlords adopted it more frequently in order to clear their estates. The reaction of the affected tenantry in Ireland was remarkable. The peasant community came to the aid of ejected with a "vigilante" response. A variety of outrages would be perpetrated against the landlord, his agent, or the new tenants in behalf of the ejected tenants. William Alison noted of the terrorist activity of the peasants, "So systematic and free from personal feeling are the outrages in Ireland, as to want but the formal trial in order to give the whole proceeding the character of a legal punishment."<sup>96</sup>

Another authority, Lord Clements, said of the same problem:

Tenants are very rarely changed in Ireland; but when they are dispossessed, in any numbers, it attracts immediate attention, because it endangers the peace of the community.<sup>97</sup>

The problem of the tenant's right to a secure tenure was not settled until after the introduction of the Poor Law. The struggle for tenantry to obtain tenant right whereby a tenant could not be evicted unless he was

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<sup>95</sup> Ibid., pp. 310-311.

<sup>96</sup> [Alison], p. 817.

<sup>97</sup> Clements, p. 121. He cited the Evidence of English Assistant Commissioners of the Poor Inquiry, Appendix F, p. 411.

compensated for all the improvement which he had made to the holding was a long one. It was an issue which erupted into violence many times. To a large degree advocacy of a legal provision for the poor was based on the hope that such a provision would be seen as a security against the disaster of ejection. Without a Poor Law the majority who lost their land holdings became destitute. Some became mendicants. Others joined the swollen labor poor or migrated to Great Britain. Overall, the effect was to deluge the towns with unemployed laborers.

The history of Irish mendicity cannot be told in this place. To chronicle it adequately would demand a separate study equal to this present undertaking. However, Irish mendicity had a telling influence in the movement toward a government provision for the poor as it had been in all locally initiated provisions before.

## CHAPTER V

### THE APPROACH TO AN IRISH POOR LAW, 1828-1833

As we have seen, many British and Irish leaders in the decade 1828-38 sought to remedy Irish poverty by means which did not involve the introduction of a legal provision for the poor. As late as 1827 pressure in Great Britain for such Irish poor relief was not very great. The real public debate on the desirability of a legal provision, specifically, a Poor Law, did not begin until about 1828-30.<sup>1</sup>

The Parliaments of William IV saw the debate over an Irish Poor Law increase its tempo and volume. While the numerous proponents of a Poor Law found it extremely difficult to agree on the precise character and form such relief should take, the opponents found it almost as difficult to agree as to the reasons for opposition. The opponents were also pressed to discover a positive alternative course of action.

The period 1828-38 falls into two quite distinguishable divisions, that is, the years preceding the adoption of the New English Poor Law in 1834 and those after this event. Discussion in the first period often revolved around the Old English Poor Law. Most advocates of a legal provision for Ireland did not favor the extension of the English Poor Law in its existing form. Opponents of a legal provision for the poor concentrated on the abuses and failings of the Poor Law as an argument for not extending it to Ireland.

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<sup>1</sup>Black, p. 90.

After 1834 the focus of most argumentation was the New English Poor Law. The lines of division between those advocating and opposing an Irish poor relief experiment had changed. Some former advocates carried on a battle to the finish to resist the extension of the New Poor Law to Ireland while other former opponents joined warmly into the chorus of voices calling for a uniform treatment of Ireland and Great Britain in the matter of poor relief. Of course, there were those who felt that relief in any form was infinitely better than its absence and those who felt the converse was true.

In 1827 the obstacles in the path of a legal provision for the poor of Ireland seemed insurmountable. However, the pressures of Irish poverty soon became so great that they overwhelmed the formidable resistance to an Irish Poor Law. Aside from the usual causes of Irish distress, under-employment and poor potato crops, there was added the policy of the economists encouraging the abolition of the cottier potato-truck system. This latter policy was seen as the key to the economic regeneration of Ireland, but in the meanwhile it was bound to cause a period of distress affecting the cottier population who were displaced by the clearances. It was this potential source of distress which increased the impetus toward Irish poor relief.<sup>2</sup>

It was the distress from under-employment and poor crops that so increased in the 1820s and 1830s. But, while evictions from consolidation of land holdings was not great during these years, they received a disproportionate amount of unfavorable publicity. The threat of increased distress resulting from consolidation became a powerful force which could be and was channeled into Poor Law advocacy. In fact, the supporters of land clearances, both the

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<sup>2</sup>Ibid., pp. 18-21, 87-88.

Irish landowners and the political economists, came to see the necessity of poor relief measures such as a Poor Law, organized emigration and public works employment if capitalist agriculture was to succeed. It became obvious that some provision had to be made for the displaced laborers.

Opposed interests could support a Poor Law for different reasons. The economists saw such a measure as an expedient to secure the tranquility of Ireland until the capitalist type of agriculture had checked population and stimulated investment. Humanitarians could support a Poor Law on the grounds that it would check eviction by the threat of poor rates to the landlords.

Two general arguments would be the stock-in-trade of critics of a legal provision. First, was the claim that the cost of such a provision would be borne by those most unable to bear such a burden and that it would impoverish those subject to the poor rate. This explains the alarm of the property owners of Cork when they heard of a petition from their city to the Parliament in 1821 which supported the introduction of a modified system of poor laws. It was frequently heard in Parliament that a Poor Law for Ireland would fall on the poor occupying tenants and not on the absentee landlords. A second argument frequently used against an Irish Poor Law was that such a provision would not accomplish what it planned, that is, the relief of the "worthy" poor, but that it might aid the idle and the vicious.<sup>3</sup>

Against these pessimistic positions Henry Grattan introduced a perspicacious note when he voiced his doubt that a Poor Law could make conditions in Ireland any worse than they were. It was his opinion that the relief given by

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<sup>3</sup><sub>2</sub> Parl. Deb., XVI (1827), 1086, 1088.

the Mendicity Society in Dublin, while not very great, was of absolute importance because of the desperate plight of the poor.<sup>4</sup>

Grattan and Lord Darnley, two Parliamentary leaders much concerned with the welfare of the Irish poor, favored the application of a modified system of poor laws to Ireland.<sup>5</sup> They and a squad of other vocal spokesmen faced the apathy, indifference and disbelief of many in the Parliament, an assembly in which the representatives of Ireland were a minority and many of whom were the most opposed to changing the status quo. One voice of reaction was Lord Limerick. In response to Lord Darnley's request for a measure to relieve the distress of the Irish poor, Limerick remarked:

He had read of people perishing from want, but he did not give credit to everything which appeared in the newspapers. And did not people perish of hunger in other countries as well as in Ireland.<sup>6</sup>

In 1828 Grattan read a petition from the silk weavers of Dublin requesting some permanent provision for the poor of Ireland which would have the effect of forcing the gentry to find means of employment for the poor. It also noted the drain of Irish capital through her absentees, an argument which was given considerable attention by the classical economists. Peel, the Home Secretary, replied for the government to Grattan's approval of the petition. Peel admitted that the size of the problem of Irish poverty demanded careful attention but stated his opposition to a Poor Law solution because it would remove the population checks.<sup>7</sup>

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<sup>4</sup> Ibid., pp. 1090-1091.

<sup>5</sup> Ibid., p. 1086; 2 Parl. Deb., XVII (1827), 128.

<sup>6</sup> Ibid., p. 130.

<sup>7</sup> 2 Parl. Deb., XVIII (1828), 1417-1419; Black, pp. 72-85.



The existence of significant group that was opposed to the continuation of the Poor Law system aroused the Poor Law advocates. David Robinson, a frequent contributor to periodicals, produced a capable defense of the Poor Law system in 1828. He derided the opponents of the Poor Law:

The dogmas of the Economists have no weight with us because we believe them to be flatly opposed to experience. . . . We hold an absentee landlord to be morally, whatever he may be in law, a heinous criminal.<sup>8</sup>

Robinson presented the contrast between Ireland and England and thanked heaven for blessing the latter with a Poor Law. The widespread unemployment, beggary, low wages, and the resulting ignorance, contempt of the law, vice, crime and insubordination of Ireland were cited to exhibit a country without a Poor Law. Yet, Robinson was not uncritical of the administrative abuses of the English Poor Law. He favored reforms.<sup>9</sup>

While he was sad at the past omission of a Poor Law for Ireland, he was pessimistic about introducing such a measure under the existing circumstances. Several pre-conditions had to be met in Ireland before he could recommend the extension of poor laws, but Robinson believed that Ireland ought to be made ready for a Poor Law in her interests and that of the empire at large.<sup>10</sup> In a later article he continued in the same vein, denying the theories of the economists about the want of capital in Ireland and castigating the absentee landlords. His solution for Irish poverty consisted of the combination of poor

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<sup>8</sup>[David Robinson], "The Poor Laws," Blackwood's Edinburgh Magazine, XXIII (1828), 923.

<sup>9</sup>Ibid., pp. 924, 929, 934.

<sup>10</sup>Ibid., p. 936; [Robinson], "The State of Ireland," Blackwood's Edinburgh Magazine, XXIX (1831), 467, 471-472, 477-478.

laws, emigration and land reclamation.<sup>11</sup>

The defense of the political economists for the rights of absentees irritated the public. Also, the economist's approval of land consolidation was often construed as supporting the clearances conducted by irresponsible landlords. Thus, the economists were often identified with the landlords by the poor as common objects for hatred. It was not always apparent that while the economists approved of the end of the landlord's clearances, they objected to the means, that is, ejections without any provision for the ejected tenants. The economists had no love for irresponsible landlords and many found poor relief acceptable as an expedient solution to Ireland's "period of transition" from cottier to capitalist agriculture. Most of the economists were fully aware of the difficulties involved in the process of change, but they differed as to how serious they would be and as to what relief must accompany the process of consolidation.<sup>12</sup>

A lengthy debate on the general subject of a provision for the poor took place in the House of Lords during the spring of 1829. Lord Farnham declared that a provision for the destitute and helpless in Ireland was a moral duty imposed on the owners of property in that country. While opposing the introduction of the English system, he favored "any well-regulated system" that would fulfill this duty. Several other lords gave their approval of his qualified proposal. The discussion continued until interrupted by those demanding a change of subject. Lord Darnley sniped at Lord Limerick, a chief

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<sup>11</sup>Black, pp. 21-23.

<sup>12</sup>2 Parl. Deb., XXI (1829), 403-407.

adversary of an Irish Poor Law, and was only silent after saying that he would bring up the subject of poor relief for Ireland again and again "until its necessity became generally obvious."<sup>13</sup>

Darnley did not keep silent for long. A month later he moved for returns on the state of the poor in Ireland in order, he said, to prove that a provision for the poor did not exist to any significant degree.<sup>14</sup>

Similar oratory filled the House of Commons. Michael Sadler, the arch-foe of the Malthusians, read one of the several petitions from Ireland which requested the introduction of a system of parochial relief similar to that of England. Sadler presented his own poor relief measure. He argued that the measure would encourage industry, bind the lower classes into a union with the government, establish a moral police and promote good will between Catholic and Protestant.<sup>15</sup>

An Irish member, Villiers Stuart, who stated that he was unassociated with either Sadler or the Malthusians, agreed that a Poor Law for Ireland was an absolute necessity as a matter of both justice and sound policy. He claimed, in addition, that the positive benefits of the Poor Law in England were the best proofs. There, he contended, it had raised living standards and desires while keeping up wages. In the case of Ireland without a Poor Law there had been no accumulation of capital because the rental was withdrawn regularly by absentees who had no poor rates to identify their economic interests with those of the tenantry.<sup>16</sup>

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<sup>13</sup> Ibid., p. 1330.

<sup>14</sup> Ibid., pp. 1114-1115.

<sup>15</sup> Ibid., pp. 1123-1127.

<sup>16</sup> Ibid., pp. 1127-1128.

Minus the minimal protection of the Poor Law the Irish poor had become dependent on the miserable subsistence of potatoes. The Union, which Stuart admitted favoring, had accidentally destroyed rising manufactures in Ireland. The absence of a Poor Law weakened those which still existed because in bad seasons the unemployed operatives had no legal relief in the neighborhood and left for England or for agricultural employment and could not be found when good times returned.<sup>17</sup> And so Stuart's arguments continued. They would be repeated again and again with variations until the adoption of the Irish Poor Law.

When Villiers Stuart moved that Parliament consider a Poor Law measure for Ireland at the next session, Ford Francis Leveson-Gower, the Chief Secretary for Ireland, spoke for the government to oppose this step.<sup>18</sup> Gower succeeded in stirring up a rally in the defense of an Irish Poor Law. Wilmot Horton, the author of several pamphlets on pauperism, was particularly irate. Dismissing Gower's remark as irrelevant, Horton concentrated his attention on a statement made by Gower's predecessor at the Irish post, Lord Melbourne. Melbourne had also rejected a Poor Law for Ireland and instead had urged that the unemployed exercise the virtues of economy, industry, patience and perseverance.<sup>19</sup>

Horton saw hope for Ireland in schemes of emigration and reclamation. Unlike Sadler, he saw Ireland's redundant population as the crux of the problem. Horton suggested, "If it is possible to settle the rate of wages in a satisfactory manner, by colonization, or any other means, then would be the time to

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<sup>17</sup> George Clement Boase, "Egerton, Francis," D.N.B., VI (1888-9), pp. 571-572.

<sup>18</sup> George Barker, "Horton, Sir Robert John Wilmot," D.N.B., IX (1891), 1284-5.

<sup>19</sup> 2 Parl. Deb., XXI (1829), 1130-1132.

introduce a modified system of Poor Laws."<sup>20</sup> He felt that either new modes of employing labor in a satisfactory way must be devised or a part of that labor must be withdrawn from the labor market.<sup>21</sup>

The Parliamentary debate of May 7, 1829 was one of the most complete and of the widest participation of any on the subject. The strong unionist, Thomas Spring-Rice spoke in opposition to the introduction of the Poor Law into Ireland even though argument of imperial uniformity was advanced to support such a measure. He claimed that England thrived in spite of the Poor Law. In answer to Poor Law advocates, he declared:

It was erroneous to say that the poor were unprovided for in Ireland. There were assessments for the promotion of education, and for the maintenance of foundlings; houses of industry supported by local rates; every county had one or more county infirmaries.<sup>22</sup>

The fear that the abuses of the English Poor Law might be brought to Ireland influenced many members of Parliament. For this reason, James Grattan opposed the measure proposed by Stuart. Grattan saw the great evil of absenteeism and the need for a measure to equalize the taxes of residents and absentees. He also noted that local relief was ineffectual since it only attracted the poor from other parts of Ireland. His support was for a system of poor relief to aid the aged and the distressed and not for a system to provide employment for the poor and to feed the able-bodied unemployed. In defense of the former, he argued that a compulsory payment under a regular system of relief would amount to less than the sum now paid in charity and that the

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<sup>20</sup> Ibid., pp. 1130-1132, 1134-1135.

<sup>21</sup> Ibid., p. 1136.

<sup>22</sup> Ibid., p. 1142.

landlords would be compelled to be responsible for their tenantry.<sup>23</sup>

While not agreeing that there was a sufficient provision for the Irish poor in local relief, as Spring-Rice had said there was, General Gascoyne preferred that any measure proposing a consideration of the Poor Law for Ireland should originate with the ministry. The spokesman for the ministry, Peel, then indicated that he was not favorable to the introduction into Ireland of the Poor Law system with its attendant abuses and was averse to pledging a future Parliament to a specific course of action. However, he admitted that he had not firmly decided on his course of action and would give grave consideration before voting on the Irish Poor Law proposal.<sup>24</sup>

William Huskisson, a believer in systematic emigration, suggested that the harmful effects of Irish labor on England in reducing wages and increasing poor rates were greater than they had been believed to be. He decided that security in Ireland was the true remedy, not merely a Poor Law, if capital was to be attracted. Lord Palmerston stated that a Poor Law under any system was a tax on industry and thus a waste of capital. To him it favored the idle and at the same time diminished wages.<sup>25</sup>

This summary reveals the character of the debate. No action was taken on the proposal of Stuart, but a preliminary alignment of the contending forces was in process.

There was some imagination brought to the subject of a Poor Law for Ireland now that debate on the matter was intensified. John McCulloch

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<sup>23</sup>Ibid., pp. 1148-1149.

<sup>24</sup>Ibid., pp. 1155-1157.

<sup>25</sup>Ibid., pp. 1158-1159..

introduced the notion that a Poor Law could be extended to Ireland if the means for the administration of such a system of compulsory provision existed. He believed that the means existed and that it was to the advantage of the landlords to use the means. McCulloch added, "The real friends of Ireland approve the introduction of the poor laws, because they believe, whether right or wrong, that it would be a powerful means of forwarding the clearing of estates, of stimulating emigration, and, in a word, of promoting all those measures deprecated by Mr. Sadler."<sup>26</sup> McCulloch's attitude toward an Irish Poor Law was indicative of the bent of many political economists since he was a thoroughgoing disciple of Ricardo. The argument as to the means for administration would be expanded later, both pro and contra.

One of the more active Poor Law reformers, Robert Slaney, who was well known for his "benevolent exertions to ameliorate the condition of the poor," proposed eliminating the abuses of the English system before its application to Ireland.<sup>27</sup> Before Parliament in 1830 he presented the Poor Law under three headings and proposed modifications of each. Slaney's headings were the rating, the settlement and the relief. The first he would modify by rating real property rather than personal. The second would be changed by the adoption of the plan pursued in Scotland.<sup>28</sup> The third would be fully continued to cover both relief to the able-bodied unemployed and relief to the impotent except that the former class were to be relieved, not by right, but by the discretion

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<sup>26</sup> [John R. McCulloch], "Sadler on Ireland," Edinburgh Review, XLIX (1829), 315-316.

<sup>27</sup> 2 Parl. Deb., XXIII (1830), 481; Ernest Clarke, "Slaney, Robert Aglionby," D.N.B., XVIII (1897-8), 367, 368.

<sup>28</sup> See Webb, Part II, II, 1030-1033.

of the authorities.<sup>29</sup> These were fecund ideas which would receive attention in the succeeding years.

The leading Irish agriculturalist, John Pitt Kennedy, had another suggestion to make. He believed that the Protestant clergy in Ireland should set the example of laying a poor rate upon themselves, especially since such a rate was paid in England by the clergy. He noted that this action might have a powerful effect on the Irish landed proprietors who strongly objected to the introduction of this kind of tax. He did not believe that the clergy should be exclusively taxed for such a purpose, but that if they took the lead by good will and a sense of duty, the clergy might cause the landed proprietors to second them.<sup>30</sup>

He argued that advantages would accrue to the landowner under poor rates, but there were only vaguely indicated. Perhaps this was because he saw poor relief as an adjunct to other remedies for Irish poverty. While viewing rapid large scale overseas emigration as an impractical solution, he was optimistic about the advantages of a large appropriation of capital for the relocation of all the poor to places within the United Kingdom, especially through the utilization of waste lands. Kennedy spoke for a large number when he added his plea, "It is clear that something must be done, and it were better that it be done at once, than to resort to half measures."<sup>31</sup>

Kennedy was favorable to a Poor Law for Ireland. To show that it could be introduced without great difficulty, he wrote:

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<sup>29</sup>2 Parl. Deb., XXI (1829), 1154-1155.

<sup>30</sup>Kennedy, pp. 41-43.

<sup>31</sup>Ibid., pp. 44-47.



Machinery applicable to this purpose has been already created in that part of the United Kingdom, namely, the vestries, which are authorized to adjust the commutation of tithes. They might be empowered by act of parliament to levy rates for the sustenance of the aged and the infirm poor.<sup>32</sup>

An article in Blackwood's Edinburgh Magazine in 1829 indicated that the introduction of the Poor Law to Ireland was a subject on which those who desired the improvement of Ireland differed more than on any other question. It cited the fact that many writers, and the Quarterly Review in particular, were "pro" while many good resident landlords and Michael Sadler were "contra." The author, William Johnstone, noted that many looked at general principles while overlooking the extreme difficulty of settling details in proposing the extension of the Poor Law. He felt that an adequate system could be contrived only after years of consideration of the subject by those who had lived long in Ireland. In his opinion the distribution of the rate burden was bound to be unequal. He saw that an Irish Poor Law would have to differ from the English model for several reasons. Among these were that Ireland's wealth was not as great as England's and her people not as civilized.<sup>33</sup>

Johnstone cited the immense private charity of the Irish. At his lowest estimate the smallest farmer gave away 650 pounds of potatoes a year to the poor.<sup>34</sup> A similar estimate was used as an argument for introducing a compulsory poor rate under a Poor Law since such would amount to less than the sum now paid in charity.<sup>35</sup> de Tocqueville found the same largesse of the poor

<sup>32</sup> Ibid., p. 44.

<sup>33</sup> [William Johnstone], "Ireland As It Is," Blackwood's Edinburgh Magazine, XXV (1829), 198-199.

<sup>34</sup> Ibid., p. 198.

<sup>35</sup> 2 Parl. Deb., XXI (1829), 1149.

toward the poor in the matter of alms in the form of potatoes prevailing in 1835.<sup>36</sup>

To the sum of advice given on the introduction of the Poor Law to Ireland by McCulloch, Slaney, Kennedy, and Johnstone can be added that of James Bicheno. Long a writer on the question of Irish poor relief, Bicheno published a detailed account of his observations in Ireland in 1830. He listed the notable accomplishments of Irish benevolence, namely, the foundations of infirmaries, houses of industry, foundling hospitals, fever hospitals, lunatic asylums and voluntary associations for the suppression mendicity. According to him, permissive legislation supporting such relief institutions had attracted all but two or three shires and several cities to adopt them, and in 1828 about £1,500 had been spent by the counties on the maintenance of lunatic asylums alone. Bicheno assessed this large scale relief as a permanent provision for the poor who were suffering as a result of accidents or diseases. He also presented the details of the operation of the houses of industry at Waterford and Limerick.<sup>37</sup>

Bicheno heartily approved of this existing provision for the poor in Ireland and added that the relief provided by the poorer farmers far exceeded that of these benevolent institutions. Having presented his observations, he then reasoned that a Poor Law was unneeded in Ireland and that it would destroy the popular spirit of generosity and familial instinct that flourished there.

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<sup>36</sup> de Tocqueville, pp. 152, 164.

<sup>37</sup> James Bicheno, Ireland and Its Economy: Being the Result of Observations Made in a Tour through the County in Autumn of 1829 (London: John Murray, 1830), pp. 237-240, 242.

He remained very critical of the English Poor Law's effect on the poor and, yet, was also strongly opposed to "the received theory of population, and the established doctrines of political economists."<sup>38</sup>

Such was the diverse advice heard by the public about Irish poor relief. It accompanied the airing of the question in the houses of Parliament and may well have influenced the oratory in the Parliament.

In the spring of 1830 the Parliamentary debate resumed. Lord Darnley told the House of Lords, "A considerable change had taken place in public opinion with respect to the Poor Law; and political economists in England, Scotland and Ireland . . . had come over to his opinion."<sup>39</sup> According to him they now favored compulsory relief to the aged, sick and helpless but not under the English system of the Poor Law. The Duke of Wellington did not give any support to such an appraisal when he replied that the government had no plan to bring up any proposal on the introduction of the Poor Law to Ireland. However, Wellington said that some measures already taken would benefit the poor directly and indirectly and mentioned public works by the grand juries, care of foundlings and a hospital in Dublin.<sup>40</sup>

Lord Darnley then broadened his proposal of a provision for the poor to include the poor in general. He desired some compulsory provision for Ireland

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<sup>38</sup> Ibid., pp. viii, 231-235.

<sup>39</sup> 2 Parl. Deb., XXIII (1830), 366-367.

<sup>40</sup> Ibid., p. 367. There was wide agreement as to the desirability of relieving those who could not help themselves even by those who opposed poor laws, as Black points out, but action to give them adequate relief was slow in coming.

which would relieve the middle classes from bearing the full burden through their charity and would force the absentee gentry to contribute.<sup>41</sup>

R. D. Collison Black indicates that English popular support in favor of an Irish Poor Law was widespread and growing in the 1820's and 1830's and that Scrope had been reasonably near the truth when he said that only "a sect of Political Economists" was opposed.<sup>42</sup> Yet, this was not so true of the House of Lords. In Ireland, the main opposition to a Poor Law came from the land-owners, who saw themselves and their property as threatened by the worst evils of the Speenhamland system. But, by 1833 virtually one peer out of every four had a stake in Ireland through the ownership of land, and for a majority of these, their economic interest was entirely centered on their Irish estates.<sup>43</sup> The difficulty of Lord Darnley in gaining support for an Irish Poor Law proposal in the House of Lords would be related to this economic tie between Irish property interests and the Lords.

The House of Commons also heard petitions in 1830 favoring the introduction of the Poor Law into Ireland. In response, Spring-Rice, no friend of an Irish Poor Law, obtained the appointment of a Select Committee to inquiry into the state of the poorer classes in Ireland.<sup>44</sup> Many people, inside and outside of the Parliament, were suspicious of the intent of this Committee and believed that its plan was to get rid of the Poor Law question by an unfavorable report. Grattan told the Commons that efforts were being made to get up

<sup>41</sup> 2 Parl. Deb., XXIV (1830), 533-535, 766-767.

<sup>42</sup> Black, p. 101. See Scrope, Plan of a Poor Law for Ireland (London: 1833), p. 41.

<sup>43</sup> David Large, "The House of Lords and Ireland in the Age of Peel, 1832-1850." Irish Historical Studies IX (September 1955), 367-399.

<sup>44</sup> 2 Parl. Deb., XXIII (1830), 183.

petitions against the Poor Law in many parts of Ireland and that the Select Committee was directing its attention to make out a case against its introduction into Ireland.<sup>45</sup>

On June 3, 1830 Michael Sadler made a lengthy appeal for his own Poor Law proposal. He urged its necessity for the well being of the English industrial class and for the sake of justice, mercy and policy. To him the poor had a reserved claim on the community after the institution by the community of the monopoly rights of property, and he cited an impressive number of legal authorities from Biblical to modern times. With evangelical oratory Sadler pleaded that even the threat of fraud was no ground for changing a right into a bounty dependent upon the discretion of the giver. He pressed the duty of supporting the poor as one of the obligations of the Christian religion and heaped contempt on those viewing the poor as improvident.<sup>46</sup>

Against those who denied the need of an Irish Poor Law, Sadler pointed to the failure of the poor to help themselves in the absence of a provision. He referred the Parliament to the writing of Richard Woodward, an eighteenth century Irish bishop, on the need for a legal provision for the poor. From the evidence of uninterrupted poverty since Woodward's time, he was critical of the possibilities of the poor meeting calamities and distress through savings. He found that the Irish laborers were unable to save and barely able to sustain themselves. In addition, he believed that universal parsimony by the numerous poor would destroy consumption and, therefore, the economic welfare of society.<sup>47</sup>

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<sup>45</sup> 2 Parl. Deb., XXIV (1830), 766.

<sup>46</sup> Ibid., pp. 1294-1306.

<sup>47</sup> Ibid., pp. 1307-1308, 1311-1312.

Sadler's store of arguments was far from exhausted at this point. The claim of the poor to relief was supported by Doctors Baker and Cheyne in their medical history, which Sadler cited. Like William Alison, they had found that the origin of fever lay in the distress of the people.<sup>48</sup> This was a strong argument for poor relief which gained popular support independent of Sadler's advocacy.

Sadler concluded his polemic with a defense of the English poor rates against those critics who claimed that the expense of relief would eventually consume England's wealth. His contention was that the rise in relief expenditure had not kept pace with other branches of the national expenditure nor even with the public's increased ability to pay.<sup>49</sup>

Mark Blaug, an economic historian, has recently defended the operation of the Old Poor Law against its nineteenth century opponents. He found it comparable to modern welfare legislation and did not see unmitigated evil in the Speenhamland system, which was cited frequently as an example of the abuse in the administration of the Old Poor Law. In fact, Blaug believes that the Speenhamland system was possibly in decline by 1824 and that the opponents of the Old Poor Law and the advocates of the New used it as an argument without regard to this fact even if it meant ignoring their own evidence.<sup>50</sup>

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<sup>48</sup> Ibid., pp. 1317-1318; William Greenhill, "Cheyne, John M. C.," D.N.B., IV (1887), 220-222. He had been the physician to the House of Industry during the epidemic of 1817, and with Dr. Francis Barker of the Irish Board of Health, he wrote his history in 1821.

<sup>49</sup> 2 Parl. Deb., XXIV (1830), 1323.

<sup>50</sup> Mark Blaug, "Myth of the Old Poor Law and the Making of the New," Journal of Economic History, XXII (1963), 152, 157-160; "Poor Law Report Re-examined," XXIV (1964), 229, 231, 243.

The Chief Secretary for Ireland, Lord Francis Leveson-Gower, was not slow to brand Sadler's proposal as a mere resolution rather than a practical detailed measure. Brushing aside the oratory of Sadler, Gower suggested that the Parliament wait for the report of the Select Committee inquiring into the state of the poor. At that time Spring-Rice said in defense of the Select Committee that Sadler had refused membership on it and had refused to be a witness before it. This revelation was aimed at ending any suspicions that Sadler might have been intentionally excluded. Sadler had, however, gained his hearing before the Commons and amidst criticism and compliments he withdrew his measure.<sup>51</sup>

While the Parliamentary discussion of a Poor Law for Ireland produced opposition from the landed proprietors in Ireland and, also alternative measures of poor relief like an Irish land tax for a labor rate, more and more was heard of support for a modified Irish Poor Law.<sup>52</sup> George Strickland argued in a pamphlet for a strictly limited provision for the aged and infirm poor. He felt that not all poor provisions would produce the evils of the English provision and cited those of Hamburg and Scotland as examples. Bishop Doyle's plan that a modified system of poor rates be established in every parish was mentioned as an alternative to the English Poor Law. Strickland wrote, "Either the Poor Laws of England and Scotland must be repealed, or some arrangement and provision made for the comfort of the Irish labourer, when broken down or in sickness."<sup>53</sup>

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<sup>51</sup> Ibid., pp. 1327-1330, 1333. The Report of Spring-Rice's Committee recommended the introduction of nineteen Bills designed to improve the condition of the poor, but these did not include a Poor Law.

<sup>52</sup> 2 Parl. Deb., XXV (1830), 81-84, 711-712.

<sup>53</sup> Strickland, pp. 84-88, 92-97.

Seeing that the abolition of the English Poor Law was not tenable, he suggested its amendment. He had some definite changes in mind. Strickland would have the English Poor Law modified to provide for all the poor except the able-bodied and their children and to prevent the maintenance of the able-bodied by the quarter sessions. The marriage of anyone certified as a pauper would be forbidden. Finally, the modified Poor Law would be extended uniformly to Ireland and Scotland.<sup>54</sup> While the implementation of these steps would not have ended mendicancy nor relieved the distress of unemployment, they did foreshadow the New English Poor Law.

The moderate suggestions of Strickland did not satisfy all of the advocates of Irish poor relief because some wanted all the poor to have a legal right to relief. Some of those who desired such total poor relief saw mendicancy and unemployment as the chief obstacles to Ireland's prosperity. For example, Edward Edwards pleaded for giving all the poor the legal right to relief. He noted that "the number of people supported in Ireland by charity is quite inconceivable." In a burst of indignation he roasted the government for their neglect of the Irish poor, exclaiming that "in Ireland the dreams of the economists have been realized, and the lame, the halt, the blind, the aged, and the orphan poor have been left entirely to the unaided assistance of casual and individual charity."<sup>55</sup> He hoped that such a condition would not continue much longer.

The influential Bishop James Doyle continued his advocacy of poor relief in the 1830's. His views are seen in his correspondence with William

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<sup>54</sup> Ibid., pp. 124-125.

<sup>55</sup> [Edward Edwards], "Poor Laws in Ireland," Blackwood's Edinburgh Magazine, XXVII (1830), 762-763.



Smith-O'Brien. Writing on the subject of O'Brien's plan for the relief of the poor, Doyle agreed with his correspondent that a provision should use parish level committees as its mechanism of disbursing relief, that only ratepayers should elect the committee, that mendicants should have a domicile, that begging vagrants not be tolerated, that the committees be empowered to aid orphans and deserted children and to compel persons of means to support their children or parents, and finally, that the assessment of the poor rate be divided between the proprietor and tenant.<sup>56</sup>

Doyle did not agree with Smith-O'Brien's desire that loans be made to the able-bodied poor. The prestige of Doyle was so high that in the matter of poor relief and on Irish problems his opinions were sought by public leaders like Smith-O'Brien. One of his solicited suggestions was that it be specified in Smith-O'Brien's Bill that tithes were to be subject to assessment for the poor rate as in England, which would revive the old one-third formerly at common law.<sup>57</sup>

Walter Scott, the writer, agreed with Dr. Doyle on the subject of poor relief and indicated this in his correspondence to Maria Edgeworth, the author of Castle Rackrent and other works on Irish society. Scott recorded his own sentiment about politicians wrangling about remedies for the future, economists contending about the abstract definitions of wages and rent while "wise and practical men of all parties among the middle classes" and "the pious and

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<sup>56</sup>William J. Fitzpatrick, The Life, Times, and Correspondence of the Right Rev. Dr. Doyle, Bishop of Kildare and Leighlin (Boston: Patrick Donahoe, 1862), II, 212-213.

<sup>57</sup>Ibid., II, 212-213.

benevolent among the Clergy of all persuasions" sought the immediate relief of the poor. Scott saw the answer as a legal provision for the poor.<sup>58</sup>

Bishop Doyle was in the process of conversion to the advocacy of the introduction of a modified Poor Law into Ireland. While in 1825 he had preferred using special Sunday collections to raise contributions for the poor and a legal and standing committee in the parish to determine the genuinely needy, Doyle admitted before Spring-Rice's Select Committee on the State of the Poor in 1830 that he had come to see the need of a legal provision for the poor beyond any voluntary system.<sup>59</sup>

It was this Select Committee which heard testimony of Bishop Doyle, Nassau Senior and John McCulloch, three of the most outspoken men on the question of Irish poor relief. Doyle favored relief to the impotent and the able-bodied poor without a law of settlement. Senior opposed all legal provision except for the insane and the disabled. McCulloch preferred establishing the legal right to relief but with a law of settlement. McCulloch had completely altered his views on a Poor Law for Ireland since 1825. Unlike Doyle his argument for a Poor Law rested primarily on economic reasons rather than humanitarian. Doyle, however, received special praise from The Morning Chronicle on his evidence before the Select Committee, and this newspaper was to play an especially influential role in changing the opinion of several important economists on the question of the Poor Law.<sup>60</sup>

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<sup>58</sup> Ibid., II, 287.

<sup>59</sup> MacDonagh, pp. 151-152.

<sup>60</sup> Black, pp. 103-104; Senior, pp. 30-32, 34-35, 43-44; Cusack, II, 288; Webb, Part II, I, 165-166.

The state of the poor worsened in 1830-1. Spring-Rice's Committee heard testimony from unbiased witnesses like John McCulloch on the condition of Ireland and it pictured the Irish peasantry to be worse than that of any other peasantry of Europe.<sup>61</sup> Under fire by critics of the government's Irish policies the Duke of Wellington admitted the presence of distress due to the high price of potatoes. Lord Clanricarde assailed the ministry for previously denying the shortage of provisions which was almost annual in Ireland. Lord Stanhope cited the increasing misery in Ireland where one-sixth of the population was dependent on daily charity while Lord Londonderry claimed, "people were never better off than now."<sup>62</sup>

Daniel O'Connell, an opponent of a Poor Law, wrote in 1830 that distress in Ireland prevailed among an industrious and numerous population. According to him, Ireland needed relief for her industrious classes at a time when public alms-giving was failing, only a fourth of the normal amount having been collected in Dublin that year.<sup>63</sup> Edwards wrote that while the distress of the Irish farmer was often exaggerated it was the landless who were in a wretched state. He found that the extensive beggary of this latter group was oppressive to the peasants. The ejections rather than overpopulation were held responsible for vagrancy and violence. He blamed the disciples of Malthus for the clearings and accordingly justified a change in the organized provision for the impotent and unemployed poor in Ireland.<sup>64</sup>

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<sup>61</sup>Strickland, pp. 88-91.

<sup>62</sup>2 Parl. Deb., XXV (1830), 713-714, 1117-1118, 1124.

<sup>63</sup>Cusack, I, 31, 35.

<sup>64</sup>[Edwards], pp. 750-754.

Spring-Rice's Committee of 1830 was another source of evidence to prove the decline of Ireland's economy. The great Irish distress of 1831 heightened this view. Parliament was informed that the distress was expected to prevail into the next year, several spokesmen noting that the state of the poor was worsening.<sup>65</sup> O'Connell spoke on the terrible distress in Ireland and the fear of violent disturbances.<sup>66</sup> Even Lord Althorp agreed that Ireland had suffered periodic extreme distress though he continued to believe that Ireland on the whole was improving.<sup>67</sup>

To the latter observation Nicholas Leader replied that the misery of Ireland was not exaggerated as was proved by the looting in Limerick by starving women and children. He believed that the famine prevailing since the fall of 1830 threatened to create anarchy in the south of Ireland. He stressed that the improvement of Ireland had been suspended in 1815 and that since this date there had been a decline. As evidence he indicated that the revenue of Ireland since 1820 had been stationary. Customs duties paid at Dublin had fallen from £941,887 in 1820 to £669,500 in 1830 while excise duties had fallen from £650,000 to £462,698. Similarly, a comparative view of the quantities of certain luxury articles retained for home consumption in the

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<sup>65</sup> Cusack, I, 426ff.; 3 Parl. Deb., III (1831), 529-531.

<sup>66</sup> Cusack, I, 117.

<sup>67</sup> 3 Parl. Deb., VI (1831), 826.

years 1800 and 1830 revealed a drop while the population increased by more than 60%.<sup>68</sup>

As the great distress of 1830-1 increased Irish destitution, there was a corresponding increase of support for a legal provision for the poor. The notable political economist, Nassau Senior, feared that the government would be pressured into extending the Poor Law to Ireland.<sup>69</sup> He then produced a remarkable pamphlet which contended that all public relief of destitution was socially injurious and that the Poor Law might with advantage be entirely abolished. The pamphlet, A Letter to Lord Howick on a Legal Provision for the Irish Poor, went through three editions in six months.<sup>70</sup>

Senior accepted the fact that a large number of Irish were subject to continual privation and occasional severe distress, but he claimed to detect improvement in Ireland's state. As proof of the latter conclusion he noted that the population was increasing without a relative diminution of their means of subsistence. His grounds for optimism were the despair of others, yet

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<sup>68</sup> 3 Parl. Deb., VI (1831), 837-840. Note the following table of statistics showing the consumption of imports by Ireland:

	1800	1830
Tobacco	6,737,275 lb.	4,124,742 lb.
Brandy	204,494 gal.	12,449 gal.
Rum	1,036,467 gal.	25,514 gal.
Sugar	355,662 cwts.	328,266 cwts.
Wines	1,024,832 gal.	955,091 gal.
Tea	3,499,801 lb.	3,887,955 lb.
Coffee	120,985 lb.	559,655 lb.
Malt	3,311,463 bu.	2,011,895 bu.

<sup>69</sup> Leslie Stephen, "Senior, Nassau William," D.N.B., XVII (1897), 1183-1186.

<sup>70</sup> Webb, Part II, I, 86-87.

Senior admitted that in the case of Ireland's low standard of living there lay a clear duty to seek remedy "within the province of Government."<sup>71</sup>

He held that the purpose of poor relief legislation was to correct the shortcomings of charity where it was excessive, ill-directed or insufficient and to spread the burden over the rich. Senior warned that the government could easily destroy industry and forethought but hardly create them. Accordingly, he opposed poor relief to the able-bodied because it was destructive of industry, providence, and mutual benevolence. He disagreed greatly with the evidence which Doyle and McCulloch had given before Spring-Rice's Committee of 1830, although Doyle and McCulloch had advanced opposing theories of relief. Senior militated against any legal provision for the able-bodied poor. He was willing to support only a provision for limited charitable purposes such as care of the insane, infectious disease, the chronically disabled, and he found Ireland's public provision for these quite adequate. Senior did not consider it economically permissible or wise to give legal relief to the sick, the aged, widows, and orphans. He did see that crop failure and unemployment might necessitate public relief but urged caution in such a provision.<sup>72</sup>

In February of 1831 William Smith-O'Brien brought in a Bill for the relief of the aged, helpless, and infirm poor of Ireland. Lord Althorp, the Whig leader in the House of Commons, said that while he saw difficulties involved in carrying out such a Bill the ministry would not immediately oppose it. Shortly thereafter, the Parliament was again apprised of the severe distress in Ireland and of actual starvation on her western coast. Dominick

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<sup>71</sup>Nassau W. Senior, A Letter to Lord Howick, on a Legal Provision for the Irish Poor (2d ed. London: John Murray, 1831), pp. 5-7.

<sup>72</sup>Ibid., pp. 11-23.

Browne of Mayo proposed that £50,000 be given as gratuitous relief immediately and three times that sum be expended on public works relief. John Smith of Chichester asked that Lord Althorp would consider the need of providing a Poor Law for Ireland. Robert Peel urged caution about a legal provision for the poor or even an inquiry into the subject of Irish relief lest the existing sources of charity be stopped.<sup>73</sup>

Thomas Wyse requested a permanent fund for the establishment of "a graduated system of Poor-laws" and sniped at the tyranny and miserliness of the landlords.<sup>74</sup> Michael Sadler stressed the duty of the Parliament: ". . . not merely to remedy the past distresses of the Irish poor, but to anticipate their recurrence. Nothing could rescue the poor of Ireland from the periodical returns of famine, but a wise system of Poor-laws."<sup>75</sup> Sadler accused the absentees of drawing from one Irish county alone £80,000 while contributing nothing to relief.<sup>76</sup> He did not receive the satisfaction of a rebuttal from the landlords.

Poulett Scrope, like Sadler a tireless advocate of a Poor Law for Ireland, published in February of 1831 his analysis of the Reports of Evidence Taken before the Committees on the State of the Poor in Ireland 1830. He cited the fact that all writers were agreed that before 1795 the English Poor Law had kept up wages and down the number of the population. From this he concluded that the evils attributed to the Poor Law in the nineteenth century were

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<sup>73</sup> 3 Parl. Deb., II (1830-1), 246, 674-680.

<sup>74</sup> Ibid., pp. 682-684.

<sup>75</sup> Ibid., p. 686.

<sup>76</sup> Ibid.

justly chargeable only to the abuses. Scrope believed in the utility of a modified Poor Law and in its extension to Ireland.<sup>77</sup>

He urged the introduction into Ireland of a Poor Law. In the estimate of Scrope, the law in Ireland protected all property but stopped short of protecting life. As proof he contrasted the condition of the lower classes in England with those of Ireland. Witnesses which he quoted saw the lack of a Poor Law as producing such effects as: plundering by the ejected tenants, the existence of the spirit of revenge in the peasantry, and the presence of vice and disease. Scrope acknowledged the prejudice against the Poor Law by good citizens as well as selfish landlords but opposed those anti-Poor Law reformers like Dr. Thomas Chalmers although he considered them well intentioned. He berated Chalmers' scheme for poor relief and decried those who would favor the process of gratuitous charity since under it the poor would support the paupers while the rich would escape their duty. To Scrope the "natural impulse" of charity was not the beautiful process which Chalmers, Senior and Bicheno believed it to be.<sup>78</sup>

Spring-Rice's Committee of 1830 which investigated poverty in Ireland received Scrope's criticism. He saw it as a packed body whose purpose had been to produce a strong case against the introduction of the Poor Law to Ireland, three-fourths of the queries being leading questions intended to evince from the witnesses conclusions not favorable to the Poor Law. Scrope, like Bishop Doyle, opposed the Committee's notion "that . . . to compel the employment of

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<sup>77</sup>[George Poulett Scrope], "Poor Law for Ireland," Quarterly Review, XLIV (1831), 512.

<sup>78</sup>Ibid., pp. 512-514, 516, 519-521.



the surplus able-bodied labourers in Ireland would be only to throw out of work other labourers now in employment." On the contrary, Scrope saw a Poor Law as an aid to the increase of a nation's wealth, "The law which insures employment to every able-bodied labourer is a law to prevent the waste of the great and principal instrument of all production, labour, and of the capital which the man, even though unemployed, must necessarily consume."<sup>79</sup>

Scrope went further in directing a skeptical eye to the prevalent notions of the political economists. He set out to prove the following:

That the application of capital by individual owners is by no means necessarily the best, either for themselves or the community to which they belong. That the poor-law has a direct and immediate tendency to increase capital, and particularly that species of capital which is required for employing the poor.<sup>80</sup>

He proved the first point by citing the compulsory taxation for government and defense as necessary to overcome individual ignorance, want of leisure judgment, etc., and he demonstrated the second by his logical insight that it was the unemployment and misery and the disorganization which they produced which inhibited the introduction of capital. The latter, of course, kept the people employed.<sup>81</sup> This argumentation was a frontal attack on laissez faire rigoureusement.

Some prospective sources of capital for the employment of excess labour that would become available with the introduction of a Poor Law were listed by Scrope. The enormous capital wasted on mendicants could be retrieved after the enactment of a legal provision permitted the total prohibition of begging. A

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<sup>79</sup> Ibid., pp. 522, 524-525.

<sup>80</sup> Ibid., pp. 525-526.

<sup>81</sup> Ibid., p. 526.

suggested plan of levying one-half of the poor rate on the landowners would have the effect of making capital spent abroad available to Ireland. Also, improvements on property after the introduction of the Poor Law would increase property value and revenues. Capital would be attracted from England after the Poor Law had quieted the land. Lastly, increased labor would be required by returned absentees.<sup>82</sup>

Scrope said that the testimony of Doyle before the Committee of 1830 supported his own arguments. Both agreed as to the fitness of the Irish to administer a Poor Law. Scrope, however, decried John Walsh's arguments against an Irish Poor Law because of his omissions as to the causes of Irish violence and misery. To Scrope an Irish Poor Law would start a train of events which would solve Ireland's problems and avert the threat of an agrarian uprising. He went beyond pecuniary reasoning in his arguments for a Poor Law and contended that such a measure was a matter of justice as well as policy. In his detailed plan for the proposed Poor Law Scrope insisted that it be compulsory, that a legal right to relief exist in all cases of extreme want, and that it make provision for both infirm and impotent poor and for the employment of the able-bodied and their families.<sup>83</sup>

He referred to Sir Richard Musgrave's plan for the employment of the poor, which was to be handled by separate machinery from that for relief. This machinery was to consist of local boards of public works in each county who would be elected by the rate payers. These would act under the direction and

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<sup>82</sup>Ibid., pp. 529-531, 533-536.

<sup>83</sup>Ibid., pp. 539, 546, 548, 550.

control of a General Board of Commissioners which would be appointed by and be in communication with Parliament. This board would submit annual reports and possess adequate power to act and to borrow. The county boards would assume the functions of the grand juries in matters of the expenditure for public works. The wages of the laborers would be sufficient for their maintenance, and emigration might be used as an alternative to domestic employment.<sup>84</sup>

Scrope insisted on several prerequisites for the extension of the Poor Law to Ireland. For example, he demanded that vagrancy and mendicity be severely repressed and that a more flexible settlement rule be instituted. Also, as a basis for a parochial settlement, he felt it necessary that there be a general survey and valuation of lands.<sup>85</sup> While he expected inconveniences in the implementation of an Irish Poor Law, Scrope felt that the initial difficulties would be settled with time. Scrope's plan for a Poor Law incorporated the ideas of many others and was a valuable contribution to the movement for its extension to Ireland.

The distress of Ireland's poor continued to receive the attention of Parliament through the spring of 1831. George Dawson, the brother-in-law and political supporter of Peel, noted the extent of the suffering; however, he said that the aid of this distress ought to come from elsewhere than the government. Suggesting that Ireland use her own resources, Dawson found some value in a bill to allow grand juries to raise money for public works upon the rates. But not satisfied with it, he suggested as an alternative the institution of

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<sup>84</sup>Ibid., p. 550.

<sup>85</sup>Ibid., pp. 553-554. This survey was in progress from 1825-47, but the valuation would not be completed until after the Great Famine. See Chicester, "Colby," pp. 713-714.

the Poor Law in Ireland and a bill empowering parishes to mortgage the rates for public works. O'Connell spoke out against empowering grand juries, the bulwarks of Protestant ascendancy in Ireland. Several others spoke favorably of a Poor Law for Ireland if it be well-regulated and compulsory.<sup>86</sup>

When the Chancellor of the Exchequer, Lord Althorp, proceeded to present the standard measure of relief for Ireland, that is, public money to be spent on public works, several members voiced their displeasure. Sadler was disturbed that nothing was said of absentees and said that the amount of relief was insufficient for the number in distress. Sadler called for the adoption of some modified system of Poor Laws and was seconded by two British members, Colonel Tyrell and Sir Robert Wilson, who had been prominent in forming the Canning ministry. Thomas P. Courtenay, who had written upon the Poor Law, felt that the time was not suitable for such a step but acknowledged the need of some compulsory means of relief of a permanent character. Nicholas Leader asked that serious attention be given to the sixty year old recommendations of Dr. Richard Woodward. According to Leader, Woodward's arguments that the Irish poor be given some legal title to maintenance, republished as recently as 1808, had become the principles of Doyle.<sup>87</sup>

In August of 1831 Sadler ineffectively harangued the House of Commons again on a motion for an Irish Poor Law. George Strickland contended that

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<sup>86</sup><sub>3</sub> Parl. Deb., III (1831), 532-534. Advocates included Thomas Hodges, M. W. Ridley, John Benett and Edward Ruthven. Only the last appeared in the D.N.B.

<sup>87</sup> Ibid., pp. 1226, 1232; Thomas F. Henderson, "Courtenay, Thomas Peregrine," D.N.B., IV (1888), 1267.

while Sadler's motion was impractical "a well regulated system of Poor-laws, adapted to Ireland, would be productive of most beneficial effects."<sup>88</sup>

Robert Torrens chose another point of departure to discuss the same problem. He questioned the statistics upon which political economists had built their case against the introduction of the Poor Law into Ireland. In the light of the expansion of steam navigation, he saw that it was impossible for two wage scales to continue, one for England and another for Ireland. He concluded that an Irish Poor Law would drastically increase the flow of Irish labor to England. Because of this belief Torrens opposed Sadler's measure for an Irish Poor Law, Torrens desired, instead, a modified system of Poor-Laws for Ireland that would leave it to the majority of the rate-payers to levy a poor rate for the support of only the impotent poor.<sup>89</sup>

Lord Althorp added that a Poor Law for Ireland was gaining the confidence of the public or, at least, that the principle was. Althorp felt that a Poor Law would only be a short term expedient for Ireland's problems. He was especially pessimistic about relief for the unemployed. He declared that Parliament should implement further the work of existing institutions for relief in Ireland rather than having recourse to anything like a Poor Law.<sup>90</sup>

A leading Irish member, Richard Sheil, had the creative suggestion that an experiment with a compulsory rate and discretionary relief ought to be conducted in the large towns of Ireland. Dublin had petitioned for such power

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<sup>88</sup><sub>3</sub> Parl. Deb., VI (1831), 783-818.

<sup>89</sup> Ibid., pp. 818-824.

<sup>90</sup> Ibid., pp. 826-827.

because of the failure of the Mendicity Association which had depended on voluntary charity. Without the grant of this power some four thousand paupers were without relief. Sheil's oratory in behalf of the Irish poor was most eloquent.<sup>91</sup>

On hearing Sheil's appeal Edward Stanley, then Chief Secretary for Ireland, warned Parliament not to give its approval to the principle of a provision for the poor unaccompanied by some specific plan. Stanley also accused Sheil of exaggerating the amount of ejection in Ireland. The Chief Secretary opposed the establishment of any local poor rate since he felt that such would attract multitudes to that locale.<sup>92</sup> On the positive side, he did persuade the Cabinet to assent to a Bill for a compulsory rate for the Dublin Mendicity Association as a thin wedge preceding the introduction of a general system of poor laws, but the matter failed to get the attention of Parliament in 1831.<sup>93</sup>

The possibility of using the revenue of the Church's lands for the relief of the poor or empowering the Lord Lieutenant to create public works during times of unemployment was suggested by Leader as remedies for Ireland. Beyond these frequently mentioned schemes, he presented the plan for poor relief of a wealthy Irish landowner, Naper of Loughcrew. Naper's plan was fairly simple, but it centered on a point of long disputation. This was the matter of deciding on whom the Irish poor rate would be levied. Robert Southey believed that the rate ought to be levied on the occupier as it would be less than the

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<sup>91</sup>Ibid., pp. 829-831.

<sup>92</sup>Ibid., pp. 834-835.

<sup>93</sup>McDowell, Public Opinion, pp. 190-191.

existing burden of alms.<sup>94</sup> In the debates on the question in and out of Parliament some felt that the landowners should bear the rate as an overdue taste of responsibility, and others favored dividing the burden of a poor rate between the landowner and the occupier.<sup>95</sup>

Naper's plan was a variation on this last approach. His projected poor rate was to consist of a charge of three per cent on rated acres to be paid by the owner, middlemen and clergy at five shillings a week to each of the able-bodied poor for up to two months a year and a charge of two per cent to be paid by the tenants at 3 a year to the aged and infirm. Above and beyond this provision, houses of refuge for the destitute were to be established in most baronies on the plan of the Dublin Mendicity Association. The necessary revenue for these was to be raised by a direct tax on the property of absentees, public houses, drawbacks from the government, spirits, and by fines at assizes, quarter and petty sessions.<sup>96</sup>

According to Naper's plan the management of the funds was to be placed in the hands of appointed parochial committees, Protestant and Catholic, which included the important landlords and tenants. Furthermore, relief was not to be by right but discretionary. Concluding his presentation of the plan, Leader subjoined the comment that he was "not sanguine in his hopes that public opinion had yet operated sufficiently on the understanding of the Legislature" on

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<sup>94</sup> 3 Parl. Deb., VI (1831), pp. 842, 844-845. Naper had written A Plan for a Labour Rate (1830) and was the possible author of Poor Laws, Beneficial to Landed Property in Ireland (1833) which bore his initials.

<sup>95</sup> [Southey], "Ireland, Its Evils and Their Remedies," p. 84; 3 Parl. Deb., XXVI (1835), 1210; XXIX (1835), 202-203; XXXI (1836), 1195; Poor Laws Beneficial to Landed Property in Ireland, p. 36; "Poor Laws in Ireland," p. 352.

<sup>96</sup> 3 Parl. Deb., VI (1831), 842, 844-845.

the question of a Poor Law for Ireland.<sup>97</sup> Certainly, this plan of Naper's was not given the attention that spokesmen in Parliament continued to give to Sadler's vague proposals.

Sadler continued to annoy the government with his proposal that the Parliament approve the principle of a Poor Law for Ireland before deciding on the precise form such a provision would take. Both Lord Morpeth and Spring-Rice saw such a move as mischievous and foolish because of the exaggerated expectations it would create. Spring-Rice even claimed that the opposition of the Irish gentry to a Poor Law was only on public and patriotic grounds. He had indicated before to Bishop Doyle his firm belief that a Poor Law would not benefit the poor.<sup>98</sup> Of the several responses to Spring-Rice's opinion one was of some insight and should be recorded here. John Smith of Chichester observed that Ireland could not expect again the zealous aid shown by the English toward her in the last two famines. In the future Parliament would have to come to Ireland's aid and, out of prescience, would do well to pledge to do something in her behalf.<sup>99</sup>

In 1832 the pressure on the government for the introduction of a Poor Law into Ireland was maintained. Stanley explained the government's delay in presenting a poor relief measure as due to other pressing matters. He contended that the decision on the question of an Irish Poor Law was a matter for the new Parliament soon to be called. His reasons were considered disingenuous

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<sup>97</sup> Ibid., p. 845.

<sup>98</sup> Ibid., pp. 847-851; Black, p. 99. Spring-Rice to Bishop Doyle, April 26, 1829 (Monteagle Papers, National Library of Ireland).

<sup>99</sup> 3 Parl. Deb., p. 853.



by advocates of poor relief legislation because so much time had elapsed since the question had first been urged. Stanley went on, however, to cite his own Bill, then before Parliament, which was aimed at preventing contagious and epidemic diseases in Ireland by extending the power of levying compulsory relief through the establishment of a Board of Health. He asked whether or not this was a Poor Law as far as it went.<sup>100</sup>

The protagonists of an Irish Poor Law did not let Stanley's defense of the government go unchallenged. Thomas Wyse of troubled Tipperary answered the claim that provision was being made for the Irish infirm and aged poor. Wyse agreed that such was true but noted that it was both unsystematic and irregular. He observed that the existing Irish relief seemed oblivious of the fact that prevention was better than cure and added his opinion that relief money was best spent in giving employment.<sup>101</sup>

A member by the name of Callaghan stated that the existing provision in the form of grand jury presentments for the poor, was a tax which fell on the tenants but not on the landowners. He cited the Cholera Bill which heavily taxed the towns. He indicated that no evidence had shaken his confidence in the opinions which Bishop Doyle had delivered before a committee of the House of Commons to the effect that the abuses of a Poor Law could be prevented and that a system was better than no system.<sup>102</sup>

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<sup>100</sup> <sup>3</sup> Parl. Deb., XIII (1832), 831-833, 836-838.

<sup>101</sup> Ibid., pp. 844-845.

<sup>102</sup> Ibid., pp. 857-859.

According to another speaker, Lambert, Bishop Doyle had exposed to ridicule the standard objection to the Poor Law, that is, that it would diminish voluntary charity. He felt that a Poor Law would dignify the Irish poor by making relief a right rather than a boon for which they are to cringe.<sup>103</sup>

Spring-Rice and Stanley found support for the case against an Irish Poor Law in an unusual quarter. Their personal and political foe, Daniel O'Connell joined in their opposition to the Poor Law. Enmity was ignored as O'Connell took up his cudgel against proposals for an Irish Poor Law. In 1824 and 1828 at meetings of the Catholic Association and the Society for the Improvement of Ireland and in the famous Clare campaign, he had advocated a Poor Law for Ireland.<sup>104</sup> Again in 1831 O'Connell had been moved by Bishop Doyle's arguments to advocacy of the Poor Law:

My Lord, you have convinced me--your pamphlet on the legal necessity of making a legal provision for the destitute Irish poor has completely convinced me. The condour and distinctions with which you state the arguments against the provision, and the clear and satisfactory manner in which you have answered and refuted those arguments, have quite overpowered my objections, and rendered me an unwilling, but not the less sincere convert to your opinions.<sup>105</sup>

However, by January of 1832 he had changed his mind and was denouncing every scheme for an Irish Poor Law. In June he declared his opinion to the House of Commons that a Poor Law would debase the morals and deteriorate the condition of the Irish and widen the breach between the upper and lower classes.<sup>106</sup>

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<sup>103</sup> Ibid., p. 859.

<sup>104</sup> Fitzpatrick, II, 334.

<sup>105</sup> MacDonagh, p. 154.

<sup>106</sup> 3 Parl. Deb., XIII (1832), 853-854.

Because of his power on the Irish public, the opposition of O'Connell was a great obstacle to the passage of a measure for a legal provision for the Irish poor. His motives for opposing a Poor Law for Ireland were widely questioned because his enemies always accused him of serving his own interests, of being an absolute demagogue. Henry Hunt, the English Radical, accused O'Connell of letting the movement for the repeal of the Union come before the interests of the Irish people. Hunt indicated that an Irish Poor Law was in their best interests.<sup>107</sup> In the same vein Bishop Doyle wrote to O'Connell, "Your Poor Laws for Ireland are a 'Repeal of the Union.' I hope for Poor Laws--I am not so sanguine as to the Repeal of the Union."<sup>108</sup> This difference of opinion created a permanent breach between these two Irish leaders, an event which O'Connell may have sought to avoid by his partial acquiescence in the advocacy of an Irish Poor Law before 1832.<sup>109</sup>

In the summer of 1832 the House of Commons voted down again Sadler's recurrent proposal that Parliament approve the principle of an Irish Poor Law. The debate preceding the vote revealed that the notion of widespread abuse in the administration of the Poor Law in southern England was well fixed before the Chadwick-Senior investigation of 1832-4. Such thinking had its effect on the members of Parliament, especially in influencing them to postpone moves to extend the Old Poor Law to Ireland.<sup>110</sup> The government had decided what its immediate course was to be. Lord Althorp announced in February that the

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<sup>107</sup> Ibid., pp. 855-856.

<sup>108</sup> Fitzpatrick, II, 336.

<sup>109</sup> Black, pp. 100-101.

<sup>110</sup> 3 Parl. Deb., XIII (1832), 860-865.

ministry had decided on appointing a Royal Commission charged with the investigation of the administration of the English Poor Law and indicated the intention of reforming the entire system.<sup>111</sup>

From the creation of the Royal Commission the course of the debate on the Irish poor relief was conjoined with that of English poor relief to a greater extent than it had ever been. Parliamentary decision on the Irish poor relief question hung fire until the reform of English poor relief was resolved. It was prognostic that the Poor Law Inquiry Commission of 1832 had become essentially an organ of the Benthamite enlightenment in political science.<sup>112</sup>

Not everyone patiently awaited the outcome of an investigation to prescribe remedies for Irish evils. A pamphleteer in 1833, in contradiction to the strong prejudices expressed against the operation of the English Poor Law, wrote of the great benefits which came from it. He attributed to the Poor Law the fact that the English laborer was more efficient and law-abiding than his Irish counterpart. He figured that the poor rate in England averaged 2s. 5-1/2d. per acre. Against this burden he contrasted the poor relief of Ireland:

In Ireland . . . charity is now estimated at from one and a half to two million, say 1,750,000 annually; which on the 12,000,000 of cultivated acres in that country, is 2s. 11d. per acre, contributed from all kinds of property, without the slightest return in labour.<sup>113</sup>

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<sup>111</sup> Webb, Part II, I, 46. See 3 Parl. Deb., IX (1831-2), February 1st.

<sup>112</sup> Webb, Part II, I, 50-51.

<sup>113</sup> J. W. [Naper], Poor Laws, Beneficial to Landed Property, pp. 1, 3-4, 8.

The author declared that the double intention of the Poor Law had been forgotten. It had been to find employment for the able-bodied and subsistence for the aged and disabled poor. He said that the former object had been lost sight of by critics. It was only needed to contrast the state of the Irish poor with the English cottager to see that England benefitted from the compulsory employment of the poor while Ireland gained no benefit from the labor lost. He suggested the fallacy of believing that the saving of expense was always a gain.<sup>114</sup>

Consistent with his views above, the pamphleteer, who was possibly J. W. Naper, proposed the application of the Poor Law to Ireland. Under his plan the landlord would not be charged more than one shilling in the pound sterling of the net rent out of rateable property and the tenant not more than six pence during the existing lease. He suggested the employment of a parish officer, the guardian of the poor, to collect the rates and to have him account to the board of magistrates in the petty sessions; town districts would be separated from the counties in assessment and management.<sup>115</sup>

So the plan continued in detail, well worked out by its author. In this respect it was the opposite of Michael Sadler's Bill. Yet, it was equally ignored by the government. The Irish Poor Law, when it was finally approved in 1838, was contrary to all the leading points of this pamphlet of 1833. The pamphlet had suggested that the labor of the unemployed be used to pay the

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<sup>114</sup> Ibid., pp. 10, 23, 26, 29.

<sup>115</sup> Ibid., pp. 36-37. See footnote 94.

expenses of their maintenance, that it be on a parochial basis, and that there be a law of settlement.<sup>116</sup> None of these were true of the Irish Poor Law of 1838.

Parliament heard more oratory on the question of Irish poor relief in 1833. There were more questions as to whether or not the government intended to introduce a legal provision for the poor of Ireland. Stanley gave a variety of excuses as to why the government was not yet ready to act.<sup>117</sup> As the Poor Law Inquiry Commission had been rapid and efficient in conducting its investigation, Lord Althorp was able to use their reports as evidence in the debate on Irish poor relief as early as April 2, 1833.<sup>118</sup>

Replying to insistent requests for Irish poor relief, Lord Althorp wavered a little in his opposition later in the session. He asked that the Parliament consider proposals for Irish poor relief on their merits concerning benefits to Ireland alone and not to England. He expressed his preference for a measure containing remedies to Irish poverty over one establishing the principle of poor relief. In the face of extremist demands for a Poor Law or Repeal, Althorp moved for an inquiry into Irish poverty on May 2 and asked for the appointment of a commission.<sup>119</sup>

O'Connell seconded Althorp's motion. In February O'Connell had clarified his position on an Irish Poor Law and expressed his willingness to try a small part of Bishop Doyle's scheme of poor relief, that is, the use of revenue

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<sup>116</sup> Ibid., p. 34.

<sup>117</sup> 3 Parl. Deb., XV (1833), 1148-1150.

<sup>118</sup> 3 Parl. Deb., XVII (1833), 34. See Webb, Part II, I, 54-55. These reports were published in March and entitled Administration and Operation of the Poor Laws: Extracts from the Information Received from His Majesty's Commissioners.

<sup>119</sup> 3 Parl. Deb., XVII (1833), 868-870.

from the Church of Ireland for employing the able-bodied poor on public works. However, on reading the reports from the English Poor Law Inquiry Commission he reiterated his opposition to any system of Poor Laws for Ireland.<sup>120</sup>

The "Liberator" indicated that his stand was not a popular one because the Catholic clergy strongly favored an Irish Poor Law. From his reading of the Royal Commission's extracts he concluded that a Poor Law would not end violence nor protect property in Ireland. He believed that the faults of the English Poor Law were in the system and not in its management. His suggested measure was the extension of the medical provision for the poor.<sup>121</sup>

On September 25, 1833 an Irish Poor Law Commission, with Richard Whately, the Protestant Archbishop of Dublin, as chairman, was appointed to consider the whole question of Irish poor relief.<sup>122</sup> Meanwhile, the extracts of the English Poor Law Inquiry Commission were given wide circulation through government efforts and educational propaganda was produced to gain the support of the public for the Commission's findings. When the final Report of the English Commission was published in March of 1834, its success was prodigious. The government had promised a measure of Poor Law reform, and it lost little time in implementing the Report. The Poor Law Amendment Bill passed through

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<sup>120</sup><sub>3</sub> Parl. Deb., XV (1833), 1149-1150; XVII (1833), 34, 871.

<sup>121</sup> Ibid., pp. 871-877.

<sup>122</sup> Webb, Part II, II, 1026.

the Parliament with little effective opposition and became law on August 14. A good part of the press in England had fulminated in vain against the measure which was so dear to the Benthamite reformers.<sup>123</sup>

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<sup>123</sup> Webb, Part II, I, 54-56, 90-96; See Mark Blaug's "Myth of the Old Poor Law and the Making of the New," Journal of Economic History, XXIII (1963), 151-184 and "Poor Law Report Re-examined," XXIV (1964), 229-245. Blaug and the Webbs are very critical of the Commission's objectivity and indict its assessment of the Poor Law. Neither devote attention to the influence of the English Commission on the Irish Commission or of the Poor Law Amendment Act on the Irish Poor Law Act.



## CHAPTER VI

### THE IRISH POOR LAW COMMISSION AND AFTER, 1833-1838

The work of the English Poor Law Inquiry Commission, its final Report of March 1834, and the passage of the Poor Law Amendment Act in August constitute the chief background for the Irish Poor Law Inquiry. Previous commissions of inquiry, such as the Select Committee of 1817, had found much wrong with the English Poor Law but could not decide on any effective alternative remedy. The crystallization of long years of debate about the defects of the English Poor Law had definitely taken place with the appointment of the Royal Commission or English Poor Law Inquiry Commission 1832-4.<sup>1</sup>

The Poor Law Inquiry Commission very likely had a general remedy in mind before its investigation commenced; at least this was true of some of its members. The influence of Jeremy Bentham on the Commission's work and its recommendations was significant. The chief workers of the Commission were Nassau Senior and Edwin Chadwick, the latter of whom was a Benthamite zealot. And, it appears that those who were sent to obtain local data, the assistant commissioners, were drilled by Chadwick and were more or less Benthamite in their opinions.<sup>2</sup>

Bentham was the advocate of changing the machinery of government to centralize authority as is seen in his Constitutional Code. It was no accident

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<sup>1</sup>Webb, Part II, I, 47.

<sup>2</sup>Ibid., I, 48-53.

that the Report of the Poor Law Inquiry Commission urged the creation of a specialized department with executive powers to centralize the administration of legal poor relief. The Poor Law Inquiry had had a predisposition to discover facts which would support a remedy to which it already adhered. Its task was understood as being to convince the government and the public that reform was required. It sought to do this by revealing the evils that existed in the Poor Law administration.<sup>3</sup>

The so called "evils" of the Old Poor Law have been re-assessed, particularly by Mark Blaug. He has found evidence that the Poor Law was a device for dealing with problems of structural unemployment and substandard wages. He believed that it was especially useful in the lagging rural sector of a rapidly growing but still underdeveloped economy. To Blaug the "evils" of the Poor Law constituted a welfare state in miniature in each parish with provision for wage escalation, family allowance, unemployment compensation, and public works.<sup>4</sup>

Many of the British statesmen and political economists of the early nineteenth century, however, did see the practices of the Old Poor Law administration as so many abuses and evils. From the economic teachings of Smith, Malthus, and Ricardo emerged a type of laissez faire theory which held that pauperism was an artificially induced "disease of society." Simplistic logic drew the conclusion that the Poor Law caused this disease by rewarding idleness and indigence.<sup>5</sup>

This economic reasoning on the question of poverty influenced British philanthropy. The older humanitarian views toward poverty had become more

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<sup>3</sup> Ibid., I, 26-29, 54, 57.

<sup>4</sup> Blaug, "Poor Law Report Reexamined," p. 229.

<sup>5</sup> Ibid., I, 19-26.

pessimistic and calculating under such philanthropists as Wilberforce and Thomas Bernard. They had judged charitable efforts by their success in encouraging recipients to become independent. A newer variation appeared in the 1830's. Writing while the English Poor Law Inquiry was in progress, Harriet Martineau said that in her opinion poverty resulted chiefly from failure of individual character or from the operation of the inexorable laws of nature. This was a step to a new development in philanthropy, the interest in the stability of the poor family. This interest led to the early Victorian practice of home visiting. The philanthropists would get to know the poor and they would use discretion as to withhold or extend material assistance.<sup>6</sup>

The plans for administrative reform, individualistic economic theory, and newer views in philanthropy all militated against the Old Poor Law. The remedies that Chadwick had in mind for reforming the Old Poor Law. The remedies that Chadwick had in mind for reforming the Old Poor Law would satisfy to some degree all these. The impact of Nassau Senior, who was not a Benthamite, on the contents of the final Report of the Poor Law Inquiry Commission is not as clear as is Chadwick's. While Senior wrote the Report, Chadwick was from all evidence the principal framer of the remedial measures.<sup>7</sup> Chadwick's main remedies included the creation of a central board to administer the Poor Law, the union of parishes for administering poor relief, and the application of the workhouse test for destitution.<sup>8</sup>

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<sup>6</sup>Owen, pp. 97-98, 136-139.

<sup>7</sup>Webb, Part II, I, 56-57; Leslie Stephen, "Senior, Nassau William," D.N.B., XVII (1897), 1184-1185. One economist wrote that "Senior deserves the first place among English economists between Ricardo and J. S. Mill." As there can be no doubt of his ability, there was also no doubt of his interest in Poor Law reform, which had commanded his attention for many years.

<sup>8</sup>Webb, pp. 56-61.

Of these main remedies, only the first was particularly Benthamite in character. The second had been partially effected under Gilbert's Act from 1782 onward. The workhouse scheme was drawn from sources old and new, from the scheme of Marryott in 1723 to that of Lowe in 1821.<sup>9</sup>

Chadwick attempted to introduce into the New Poor Law his own version of the regulated workhouse where specialized treatment of the different classes of paupers would prevail. This goal reflected his modification of the ideas of Ricardo and Bentham with his own concept of checking individuals and groups whose own specific interest damaged the community as a whole. He called for the state to intervene to enforce competition and to protect individual initiative against customs and vested interests. He, therefore, saw a positive role for the state in serving human betterment, and his workhouses were to have accomplished this especially in educating the children of paupers.<sup>10</sup>

Senior and all the Poor Law Inquiry Commissioners agreed with Chadwick that the separation of the classes of paupers into different buildings was essential to the well-regulated workhouse. They had all been appalled at the evils of the "General Mixed Workhouse" with its indiscriminate housing of paupers under a single roof, where the vicious contaminated the innocent. Yet, from the beginning economy triumphed over this prescription of the New Poor Law of the 1834 Report. Instead of specialized workhouses in each union there appeared the workhouse of the union "providing for the reception, under a single roof and subject to a single officer, of every kind of pauper; applying to all

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<sup>9</sup>Ibid., I, 170-171, 64-66.

<sup>10</sup>S. E. Finer, The Life and Times of Sir Edwin Chadwick (London: Methuen and Co., 1952), pp. 24-26; Webb, Part II, I, 128-129.

inmates a common regimen, and treating all the kinds of paupers alike.<sup>11</sup>

The work of the English Poor Law Inquiry Commission has been subjected to careful scrutiny. The Webbs cited the Commission's energy in gathering evidence while noting its failure to obtain sifted facts rather than opinions from its many investigators. They mourned the absence of any statistical survey of the number of the pauper host or a division of it into classes. They concluded that such an omission had led the Commission to grave errors in its diagnosis and its suggested remedies. For example, the Commission failed to discern that the bulk of the paupers were not the able-bodied and their dependents but actually persons incapacitated by old age or sickness. Furthermore, the Webbs contended, the Commission's concentration on the panacea of the workhouse had allowed it to miss the significance of vagrancy and removals under the law of settlement.<sup>12</sup>

The precedent which Lord Grey's government had set in creating the English Poor Law Inquiry Commission and then the passage of the Poor Law Amendment Act did make the introduction of a Poor Law into Ireland a real probability. The pressure for an Irish poor relief measure led Lord Althorp to move in May 1833 that a Royal Commission be appointed to investigate the problem. The Irish Commission of 1833 was created as a counterpart to the English Commission. Yet, the Irish Commission was also a response to the history of Irish poverty and the debate on Irish poor relief.

What is remarkable about the Irish Commission is that it deviated so much from the English Commission in its evaluation and prescribed remedies. Ireland's poverty was obviously different in character from England's, as any

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<sup>11</sup>Webb, Part II, I, 121-130; Finer, p. 93.

<sup>12</sup>Ibid., pp. 88-89.

objective evidence would indicate. However, if the Irish Commission had had a predisposition to discover facts supporting a remedy to which it already adhered, as the English Commission apparently had, it could have made a case for the application of the regulated workhouse. But the Irish Commission did not have prejudice in favor of this panacea, and in fact, it opposed the introduction of the New Poor Law into Ireland.

The chief reason why the Irish Poor Law Inquiry Commission functioned so differently from its counterpart was its membership. Whereas the English Commission was dominated by Benthamite thought, the Irish Commission, led by Archbishop Richard Whately, was not. Whately himself was a convinced Malthusian with a strong dislike for Poor Laws. Several of the members of the Irish Commission held distinctive views on poor relief which could not be reconciled in a single plan. There was no dynamo on the Commission like Chadwick to give it the single-minded purposefulness that its English counterpart had. For this reason the Irish Commission was more likely to be divided in its diagnosis and suggested remedies.<sup>13</sup>

In truth the Irish Commission achieved both of these likelihoods. It did permit itself to be influenced by the circumstances of Irish destitution, circumstances not paralleled in Great Britain. The English Poor Law Commission had attended almost solely to pauperism and the effectiveness of the "workhouse test" to discern the genuinely destitute. The Irish Commissioners, in marked contrast to the views of the English Commissioners, declared in their first

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<sup>13</sup> Ibid., II, 1027; Nicholls, A History of the Irish Poor Law in Connexion with the Condition of the People (London: John Murray, 1865), pp. 147-150.

Report in 1835, "We consider it our duty to endeavour, if possible, to investigate the causes of the destitution that we discover."<sup>14</sup>

As could be expected in the work of a fairly objective commission, the Irish Commissioners found themselves divided in their conclusions and unable to reach unanimous accord as to the remedies to be applied to Ireland in the relief of the poor. The majority were far from the English Commission's conclusions, disapproving of the application of the New Poor Law to Ireland. Not only were the findings of the Irish Commission knowingly at variance with the hard substance of the Poor Law Amendment Act of 1834 but, in addition, its solution were diffuse and over-inclusive when contrasted to the simple and seemingly practical scheme of the "workhouse system." The very slowness of the investigations in Ireland 1833-1836 might be disadvantageously contrasted with the efficiency of the English Commission. This and the fact that the early operation of the New Poor Law had been unexpectedly successful made legislators at bit impatient. One can imagine how this natural impatience was aggravated when the Report of the Irish Poor Law Inquiry Commission indicated that there was no quick remedy for Irish destitution.<sup>15</sup>

The creation of the Irish Commission in September of 1833 and the prolonged investigation which it pursued in 1834 and into the summer of 1835 permitted the government a long postponement in resolving the question of Irish poor relief. The ministry of Lord Melbourne was able to be comfortably complacent while awaiting the findings of the Irish Commission. There was

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<sup>14</sup>Webb, Part II, II, 1026; First Report of the Commissioners for Inquiry into the Condition of the Poorer Classes in Ireland (S.P. 1835, H.C. 369, XXXII, Part I), p. xi.

<sup>15</sup>McDowell, Public Opinion, pp. 189-190; Third Report of the Commissioners for Inquiry into the Condition of the Poorer Classes in Ireland (S.P. 1836, H.C. 43, XXX), pp. 4-5.

negligible debate on Irish poor relief in 1834 since all awaited the Irish Commission's Report.

The twelve member Commission included the two archbishops of Dublin, three leading Catholic laymen, two liberal clergymen and five amateur economists. It was similar to the English Commission in its non-partisan character and its ability to gather enormous quantities of information. Thus, it did not rely upon the testimony of witnesses brought before it but sent out numerous assistant commissioners in pairs of one Irishman and one Englishman to collect evidence. These latter were directed to attend to fact gathering only and were not to make recommendations. The assistant commissioners examined carefully one parish in every barony of seventeen of the Irish counties. (There are thirty-two counties in all.) The witnesses who were interviewed were chosen with an eye to impartiality and accurate sampling, and they usually included the local clergymen of all faiths as well as members of the varied social and economic classes.<sup>16</sup>

The Irish Commission stated that its hope was to get at the root causes of destitution rather than merely alleviating misery after it had arisen. To achieve this end the Commissioners circulated about 7,600 questionnaires of which about 3,100 were returned describing about 1,100 parishes. These questionnaires had been sent to a cross section of Irish society including representatives of the middle orders.<sup>17</sup>

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<sup>16</sup> First Report (S.P. 1835, H.C. 369, XXXII, Part I), pp. v, viii-x; Selection of Parochial Examinations, pp. 8, 14. The Irish Commission included: Richard Whately; Daniel Murray, the Catholic Archbishop of Dublin; Charles Vignoles; Richard More O'Farrell; James Carlile; James Naper; James Bicheno; A. R. Blake; William Wrightson; Fenton Hort; John Corrie; Lord Killeen; and John Revans as secretary.

<sup>17</sup> Selection of Parochial Examinations, pp. 8, 14; First Report (S.P. 1835, H.C. 369, XXXII, Part II), Appendix. This contains the questions.



The Irish Commission was not alone in its study of Ireland's poverty after 1833 nor was it alone in presenting remedies. The accounts of Henry Inglis' travels during 1834 present another view of the Ireland under study by the Irish Poor Law Inquiry Commission. His travelogue went through four editions by 1836. Especially note-worthy were his acute observations of poverty in Dublin. Inglis criticized the near-bankrupt Dublin Mendicity Society as a miserable makeshift for a legal provision for the poor. He was pleased with the conduct of the House of Industry. His commentary on the existing provision for the poor included most of the Irish cities. Inglis found countless arguments for legal poor relief in Ireland. On poor rates he said, "Why should Lord Limerick, in Ireland, be exempt from the duty which Lord Limerick, in England, must perform."<sup>18</sup>

Inglis was well acquainted with the work of the Irish Commission, then in progress. He believed that his unofficial character as a tourist had permitted him to gain more candid and confidential information and that he had the benefit of the perspective of the whole of Ireland, not only sections as the individual commissioners had. He suggested that some of the questions on the official forms of the queries be amended. For example, he asked that the question: "Are the agents of absentee landlords resident or not?" be used instead of "Are the landed proprietors absentee or not?" since he had found that the peasants were in a worse condition where the agents were absent.<sup>19</sup>

The reputable observer Inglis noted of the beggars, "Few beg in the country, except the wives and children of the infirm, of the diseased, and of

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<sup>18</sup> Henry Inglis, Ireland in 1834. A Journey Throughout Ireland (4th ed., London: Whittaker and Co., 1836), pp. 9-11, 174-175.

<sup>19</sup> Ibid., pp. 175, 363-364, 367-368.

the unemployed labourers; or widows and frail old men."<sup>20</sup> On this evidence strong conclusions on the distress of Ireland's poor could be founded. Inglis subjoined that the poor health of the poor was attributed to disease from weakened condition rather than starvation only because of the generosity of the poor to their fellows. He stated also that the evictions of the day served to swell the number of paupers in the cities and that the position of the farmer and the laborer had deteriorated greatly in the last fifteen years, rents remaining the same while produce fell. Destitution in the large towns had become fearful.<sup>21</sup> Inglis declared:

It is the opinion of the medical men of Limerick, Waterford and other large towns, that at least seventy-five percent of the infirm poor die through destitution . . . the present condition of this large class is shocking for humanity to contemplate, and beyond the efforts of private beneficence to relieve; and is a reproach to any civilized and Christian country.<sup>22</sup>

In the spring of 1835 William Smith-O'Brien cited evidence from Henry Inglis on the condition of Ireland when expressing his irritation at the continued postponement of the Irish Poor Law question. After relating Inglis' descriptions of the Irish poor starving in their hovels, Smith-O'Brien insisted that any Poor Law was better than the existing circumstances and indicated some details for such a system in Ireland.<sup>23</sup>

Such statements brought O'Connell to speak against the extension of the Poor Law to Ireland. In turn, O'Connell's comments provoked the redoubtable Feargus O'Connor to a burst of oratory. He asked O'Connell if he was opposed to

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<sup>20</sup> Ibid., p. 374.

<sup>21</sup> Ibid., pp. 374-376, 378.

<sup>22</sup> Ibid., pp. 378, 382.

<sup>23</sup> 3 Parl. Deb., XXVI (1835), 1206-1210.

the desires of the Irish poor for some legal provision. What would O'Connell suggest as a means by which this object might be accomplished? O'Connor himself requested that the Commissioners should inquire into the state of the poor in all countries as well as Ireland. He then indicated that such a provision might be broader than Smith-O'Brien had favored.<sup>24</sup>

The delay of the government in producing a poor relief measure led more authors to come forward with schemes of their own. Robert Musgrave introduced a parish level poor rate plan before Parliament in March of 1835 and pressed for it into the summer with no success. He had been an opponent of introducing the old Poor Law into Ireland and thought that the best mode of relieving Irish pauperism was the employment of the able-bodied on public works and by providing legal support for the aged and the infirm. His ideal poor rate was to be borne mainly by the landlords with the occupying tenants paying only a fourth.<sup>25</sup>

James O'Flynn, a pamphleteer, favored the institution of a universal labor rate as a solution to Irish destitution. He asked that the whole laboring population be established by Parliamentary returns and be distributed equally upon the land according to its value. As he saw it, the alternatives of the landlord were to hire a set number or contribute a set sum to a public fund. O'Flynn indicated that the alteration in the English Poor Law had made some means of inducing the Irish laborer to remain at home an absolute necessity. The English laborer was no longer protected by the parish against reduced wages

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<sup>24</sup> Ibid., pp. 1212, 1215-1218, 1220-1221.

<sup>25</sup> 3 Parl. Deb., XXVII (1835), 202-203; XXIX (1835), 308-311.

from competition with the Irish. According to O'Flynn his scheme could protect the English while avoiding a law of settlement.<sup>26</sup>

Other voices were heard in Parliament advocating a solution similar to O'Flynn's. Joseph Hume favored relieving the destitute Irish poor by setting them to work and paying them for it, a plan suggested by another member. He declared that if the means for relieving the poor from the contemplated reforms fell short he would "very readily agree to any proposal for assessing the property at large of the Irish Landlords." For the moment, Hume indicated that he was willing to give the government a chance to remove the glaring evils. Poulett Scrope was convinced that a system must be adopted which furnished employment to those without it. Robert Peel added that any system of relief such as a Poor Law without provision for the able-bodied would not deter emigration of the Irish laborer to England and might even promote such activity.<sup>27</sup>

The government was not unaware of the strong feelings of many Englishmen on the subject of the emigration of Irish laborers. This awareness was made evident in the appointment of George Cornewall Lewis to conduct an investigation of the state of the Irish poor in Great Britain. In 1834 Lewis was directed to investigate Liverpool, Manchester and the west of Scotland in order to discover the reasons for emigration, the types who emigrated, and how the situation of the Irish laborer differed from that in Ireland.<sup>28</sup>

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<sup>26</sup>James O'Flynn, Present State of the Irish Poor (London: Henry Hooper, 1835), pp. 16-17, 19, 24. The universal labor rate had been in vogue in parts of England before the passage of the Poor Law Amendment Act.

<sup>27</sup>3 Parl. Deb., XXIX (1835), 319-320, 328.

<sup>28</sup>First Report. Appendix G. Report on the State of the Irish Poor in Great Britain (S.P. 1836, H. C. 369, XXXIV), p. iii.

He found that the Irish laborers did the roughest and most undesirable work, not a very surprising discovery. As evidence he collected an assortment of apparently random testimony much of which was obviously produced or careless generalizing about the Irish poor and their mode of life in Great Britain. From his barely passable investigation, Lewis was willing to judge that there had been a significant but far from enormous increase of the Irish in Great Britain in the preceding years. Manchester and London were estimated as having 35,000 each. According to him, prevailing opinion in the towns which he visited favored the extension of the Poor Law to Ireland because it was thought that this would diminish the emigration of Irish laborers to Great Britain. Lewis attempted to prove that Irish labor was not an evil and that an Irish Poor Law would not stop the migration of this labor.<sup>29</sup>

His Report and the supporting article in the Westminster Review entitled "Irish Labourers" were of significance in the enactment of the Irish Poor Law. They played down the threat of Irish emigration to Great Britain. The fear of Irish emigration had been used by Radicals like Cobbett. The Radicals cultivated the belief that an Irish Poor Law could reduce or prevent it. In this manner they created popular support for the adoption of such a measure. Lewis and his evidence was intended to show the value of the Irish in supplying Great Britain with needed labor and to undermine support for an Irish Poor Law with a law of settlement in it. As the influence of the Manchester school of economics on the government was growing, it became increasingly unlikely that a ministry would curtail the labor market.<sup>30</sup>

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<sup>29</sup> Ibid., pp. ii-xi, xvii, xxi-xxii, xxx, xxxvi; E. Strauss, Irish Nationalism and British Democracy (London: Methuen and Co., 1951), pp. 121-123.

<sup>30</sup> Ibid., pp. xxiv, xxvi, xlvi; "Irish Labourers," pp. 66, 68-71, 85-89

Regarding the question of a legal provision for the Irish poor, the chief development of 1835 was the publication of the first Report of the Irish Poor Law Inquiry Commission. Coming after more than a year of investigation, the public expected much of this Report. It disappointed many of these expectations. In the eyes of its critics the Report proposed nothing definite nor did it offer any practical suggestion to remedy Irish destitution. Rather, it aimed at explaining what ought to be and what was intended to be done. For this reason the impatient public became extremely critical of the Commission. It came to be widely believed that the Irish Commission was divided in its assessment of the evidence and unlikely that it would recommend a practical scheme of poor relief.<sup>31</sup>

The first Report had stated that the Committee was unable to report on what measures ought to be taken to aid the poor and that it was duty bound to investigate further.<sup>32</sup> This notice was not pleasing to the government. It was felt that the evidence of the Irish Committee on the condition of the poor showed that further delay of relief was impossible. Without waiting for the second Report, the consideration of applying the New Poor Law to Ireland was pressed upon George Nicholls, then a member of the English Poor Law Commission, by the government.<sup>33</sup> As expected the second Report was dilatory in the matter of Irish poor relief. While it gave a valuable description of the existing

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<sup>31</sup> Nicholls, A History of the Irish Poor Law, p. 124.

<sup>32</sup> First Report . . . for Inquiring into the Condition of the Poorer Classes in Ireland (S.P. 1835, H.C. 369, XXXII, Pt. I), p. xi.

<sup>33</sup> Nicholls, p. 129.

provisions for the poor in Ireland, the second Report did not add to the sum of knowledge on the condition of the poor nor recommendations on the remedy of that poverty.<sup>34</sup>

Nicholls presented his own suggestions on Irish poor relief to Lord John Russell about the time that the Irish Commission presented its second Report in January of 1836. According to Nicholls he had "proposed to limit his suggestions to one object, with a view to a single and specific remedy." And admitting that delay was impossible, Nicholls attempted to point out "a remedy, or at least a palliative for the evils" which prevailed in Ireland. It was expected that the final Report of the Irish Commission would consider the general circumstances of Ireland's economy rather than the problem of destitution. As a final Report of such character was viewed as unsatisfactory by the government, in particular, by Lord John Russell, Nicholls had been induced to submit his "Suggestions" before the final Report was given.<sup>35</sup>

"His own panacea for Irish poverty, which was the establishment of Workhouses on the English model, a free 'Offer of the House,' and the absolute prohibition of Outdoor Relief", received the attention of the Irish Commission in its third and final Report. After January the Irish Commission had largely lost the approbation of the government, and the final Report was at least partially a rebuff to the government. The majority of the Irish Commission, led by Whately, refused to reconcile their views with those who advocated the introduction of the New Poor Law into Ireland.<sup>36</sup>

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<sup>34</sup>Ibid., p. 128; Second Report (S.P. 1837, H.C. 68, XXX), pp. 3-8.

<sup>35</sup>Nicholls, p. 130.

<sup>36</sup>Webb, Part II, II, 1026-1027.

Richard Whately, a leading political economist, had worked with Nassau Senior on the reform of the English Poor Law. Through this experience Whately remained unwavering in his belief in the evils of indiscriminate charity and in his opposition to a legal provision for the able-bodied poor. He was in general agreement with the views of Chalmers and Malthus and had strongly opposed the introduction of Poor-laws into Ireland from his arrival there in 1831 as Archbishop of Dublin.<sup>37</sup>

As chairman and dominant member of the Irish Commission, Whately led the majority to subscribe to his own views in their analysis and solution of the problem of Irish poverty. In response to this development Lord John Russell as a supporter of the New Poor Law initiated his own investigation through George Nicholls with the apparent intention of circumventing the final Report of the Irish Commission. The Irish Commission was expected to wind up its extended investigation early in 1836, so Russell wrote to Lord Morpeth in January.<sup>38</sup>

The King's address in 1836 contained the briefest reference to the Irish poor, a fact which was interpreted by some as an indication of impending government action on the subject. Daniel O'Connell harmonized with the new tune. As Lord John Russell seemed to disavow the voluntary poor relief of Chalmers and his supporters, even O'Connell was heard to say:

The period had at length come when some system of Poor-laws must be introduced into Ireland. There had for some time, been a gradual and steady amelioration in the condition of the farmer of the agricultural

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<sup>37</sup> Whately, I, 84, 392-393, 301; James McMullen Rigg, "Whately, Richard," D.N.B., XX (1899), 1336-1337.

<sup>38</sup> McDowell, Public Opinion, p. 191.



districts of the West and South of Ireland; and this improvement had, to some extent, descended to the labouring classes.<sup>39</sup>

O'Connell had not based his change of heart on an absolute fiction but on a shadow of truth. The New Poor Law had met with spectacular success in curbing poor relief without injuring the poor in Great Britain. As the Webbs noted, the harvests of 1834-36 had been extraordinary and had caused a great drop in the cost of bread.<sup>40</sup> Such was the likely cause of the New Poor Law's popularity. At the same time there was an improvement in the condition of the Irish poor as a result of Drummond's administration which had brought a great measure of order and justice to Ireland. The appeal of the New Poor Law in Great Britain and the amelioration of Irish poor were to be equally ephemeral.

While O'Connell's support of Poor Laws for Ireland was a passing fancy, few could deny the truth of his observation that the New Poor Law was working well. By 1836 the success of the new system was exceeding the expectations of its authors. At such an auspicious time it seemed natural for many to believe that Ireland might benefit from the same or similar legislation.

The second Report of the Irish Commission in 1836 failed to urge the establishment of a legal provision for the poor; however, it revealed conclusively what was already widely apprehended, that is, the serious shortcomings of the existing Irish poor relief. It especially stressed the unfortunate circumstance that, with the exception of the maintenance of lunatic asylums, the grand jury presentments for relief institutions were optional or were only to match in varying formulas the voluntary contributions. The Report

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<sup>39</sup> 3 Parl. Deb., XXXI (1836), 231.

<sup>40</sup> Webb, Part II, I, 114, 155.

indicated the unequal distribution of medical relief facilities. For example, it stated:

In the county of Dublin, containing, exclusive of the city, about 176,000 inhabitants, and about 375 square miles, there are 24 Dispensaries, or one for every 7,333 inhabitants. . . . In the county of Mayo, containing 366,328 inhabitants, and about 2,100 square miles, there is only one Dispensary supported at the public expense.<sup>41</sup>

It found much room for improvement in the operation of the medical relief institutions and repeated some of the remedies which the Commissioners had detailed in Appendix B on their first Report.<sup>42</sup>

The second Report gave an interesting view of the boards of health established under the Act of the 58th George III, c. 47, s. 102. The Irish Commission saw these boards as partaking of the nature of a Poor Law. The Act had provided for the creation of a board of health whenever contagious disease appeared among the poor inhabitants of a city, town, or district. The board could potentially do more than check contagious disease. This was true because under the Act local administrations were created and paid for by a rate. And they were authorized to inquire into the condition of the most destitute and, in some cases, to afford relief at public expense. While duly noting that the Act was only partially acted upon, and then only in emergencies, the Report found some hope in the development of poor relief along such an avenue.<sup>43</sup>

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<sup>41</sup>Second Report (S.P. 1837, H.C. 68, XXX), 3-4.

<sup>42</sup>Ibid., pp. 4-5. These remedies included: placing the medical institutions under the superintendence of qualified persons, correcting the existing system of partnership between the public purse and private individuals, and ending the power of grand juries to diminish or annihilate the funds of a charity.

<sup>43</sup>Ibid., p. 6.

The Parliament continued to hear miscellaneous schemes for Irish poor relief up to the moment that the final Report of the Irish Commission was submitted in early spring. In February Poulett Scrope introduced his Bill for the relief of the Irish poor. It called for a system quite similar to the New Poor Law. It comprehended the principle of the Elizabethan Poor Law, the principle of centralization as in the New Poor Law, local machinery superintended by a control board in Dublin, establishment of unions of particular districts, a rate on the property in each union, and settlement and removal to be regulated as in the New Poor Law. Scrope had introduced a quite similar bill the previous session.<sup>44</sup>

In March Smith-O'Brien introduced his own Bill for the relief of the Irish poor. His plan's structure consisted of local administration and central control. The local administration would be by bodies elected by the rate-payers. Finding the existing parishes unsuitable as units for administration he suggested that a central board situated in Dublin and responsible to the Parliament divide the counties into a number of districts. Two-thirds of the poor-rate would be paid by the landlord and one-third by the occupying tenant. Smith-O'Brien opposed an allowance to the able-bodied poor and did not consider it safe to introduce the principle of the Old Poor Law under which every man in the community had a legal title either to relief or employment.<sup>45</sup>

Both Scrope and Smith-O'Brien ignored the chief feature of the New Poor Law, the regulated workhouse. In its place they advocated other remedies such as employment on public works, emigration and the use of waste lands. The same

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<sup>44</sup> 3 Parl. Deb., XXXI (1836), 429-430.

<sup>45</sup> Ibid., pp. 1193-1196.

remedies would be chosen by the Irish Commissioners, then preparing their third Report. When that Report made its anti-climactic appearance, it was met by Lord John Russell's announcement that the government intended to postpone action on the Irish Commission's findings.<sup>47</sup>

Under these circumstances Scrope and Smith-O'Brien assaulted the ears of the ministry with censures of its negligence of the Irish poor, citing the "frightful picture of human misery" presented in the Report of the Irish Commissioners. Smith-O'Brien asked why the government did not act in the area of aid to the helpless and infirm since there was no difference of opinion between the advocates of different poor relief schemes on that subject. He continued to harass the government throughout the spring session.<sup>48</sup>

Others who were also concerned about the immediate welfare of the Irish poor were more willing to accept the workhouse feature of the New Poor Law. One anonymous writer insisted that if Ireland was to have a Poor Law, the workhouse with land attached must be the principal groundwork of the system.<sup>49</sup> This idea of land being attached to the workhouse for the employment of the able-bodied destitute was fairly popular. It was most probably drawn from Robert Owen's plan for Irish relief, which had itself been considered impractical.

While Lord John Russell had apparently scuttled the final Report of the Irish Commission at its launching, it was a significant document, worthy

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<sup>47</sup> 3 Parl. Deb., XXXII (1836), 1167.

<sup>48</sup> 3 Parl. Deb., XXXIII (1836), 593-600, 833-834, 1207.

<sup>49</sup> A View of the State of Pauperism in Ireland; Its Evils and Its Remedies (London: J. Ridgway and Sons, 1836), 41-42, 45-46, 49, 65.

of attention. The Commissioners said that it had been suggested that they recommend a Poor Law for Ireland similar to that of England, but they concluded, "we are of opinion that the provisions to be made for the poor in Ireland must vary essentially from that made in England." As an argument against the introduction of the workhouse system, they declared that the enforced idleness due to unemployment was genuine in Ireland but not in England. But the chief argument which the third Report leveled against the workhouse system was the telling one of expense. The Irish Commission had found an astronomical number of the Irish laborers in a state of distress and concluded that the cost of their maintenance in workhouses would also be astronomical. Furthermore, the Commission believed that such workhouse relief would result in the maintenance of the able-bodied and their dependents, a condition under which the English Poor Law Commission itself had said the workhouse was inapplicable.<sup>50</sup>

The third Report not only found the workhouse system unacceptable for Ireland, it condemned the alternative schemes for legal poor relief. It strongly opposed parochial employment or outdoor relief for laborers in Ireland. Like the English Poor Law Inquiry Commission the rate-in-aid of wages was seen as highly undesirable and costly. However, instead of proposing some type of test for the genuineness of destitution as the English Commission had done, the Irish Commission sought to remedy the redundancy of labor. Holding that the solution of Irish poverty was extremely complex, the third Report rejected any panacea for Irish destitution which rested on poor relief. It stated, "we are satisfied that enactments calculated to promote the improvement of the

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<sup>50</sup>Third Report (S.P. 1836, H.C. 43, XXX), pp. 4-5.

country, and so to extend the demand for free and profitable labour, should make essential parts of any law for ameliorating the condition of the poor."<sup>51</sup>

Under the New Poor Law the regime of the rigorous workhouse was intended to separate "deserving poor" from the able-bodied poor and therefore, in theory, was to relieve only those who would pass the test of admission to the workhouse, presumably only the impotent. The Irish Commission differed completely as to the goal to be sought and therefore as to the means to be used. The Commission saw the goal as the improvement of Ireland not as the expedient end of relieving the destitute. Because of this it failed to give the government concrete and practical remedies for destitution and, instead, gave it a broad plan for the improvement of Ireland. In its defense the Commission argued from the laissez faire principle that it was dangerous for the government to legislate for one portion of the community and such was the case with legal poor relief. Nicholls admitted the former but brushed aside the objection on the grounds that the Irish destitution was an emergency demanding an extraordinary remedy. The final Report was itself brushed aside on the grounds that it did not not "materially assist in discovering a remedy for the fearful destitution."<sup>52</sup>

In its broad concern for the able-bodied who were destitute because of unemployment the Irish Commission differed markedly from the English Commission. This concern was evident in the Irish Commission's proffered plans for public works and emigration. The Commission cited the evidence presented to the Emigration Committee in 1827 of the ineffectiveness of the Poor Law to

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<sup>51</sup>Ibid., pp. 6-8.

<sup>52</sup>Nicholls, pp. 132-133.

provide against the distress of mass unemployment. The Commission made it clear, however, that emigration was to be only an "essential auxiliary" relief aid for Ireland, not to be permanently pursued upon any extensive scale. The main relief was to be a program of improvement consisting of public works and tenant incentives.<sup>53</sup>

The third Report objected to the fiscal power of the grand jury in Ireland and recommended the establishment of fiscal boards in each county with the power of making presentments. Beyond the proposal of reforms the Report requested that Ireland be treated as a partner in economic prosperity with Great Britain rather than as a competitor. It expressed annoyance with the selfish reasoning of many who sought only to "keep the Irish labourer at home."<sup>54</sup> Yet, this notion of partnership did not mean to Whately the assimilation of the two countries as regarded Poor Laws. Ireland's problems were distinct from Great Britain's and what was a good thing for one would not be a good thing for the other. So Whately spoke from his own experience with poor relief in both countries.<sup>55</sup>

The Irish Commissioners requested that certain steps be taken to effect the type of relief which they had described: there be powers vested in a Board of Poor Law Commissioners as in England; assistant commissioners be appointed; Ireland be divided into relief districts, each surveyed and valued; and a local board of guardians for each district be elected by the rate-payers. The Poor Law Commissioners were to determine how many asylums and institutions

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<sup>53</sup>Third Report (S.P. 1836, H.C. 43, XXX) pp. 8-17, 22.

<sup>54</sup>Ibid., pp.22, 24.

<sup>55</sup>Whately, I, 199.

for the impotent poor there were to be in Ireland. These were to be national in character. Half the cost of emigration was to be paid by a national rate. The penalty for vagrancy was to be reduced, and those convicted of vagrancy were to be removed to a colony not penal in character. Also, a loan fund for the poor with low interest charges was to be established.<sup>56</sup> Such were the main steps which the Irish Commission proposed to effect its purpose of improving Ireland.

On the important matter of the provision for the aged, infirm, widows and destitute in general, the Commissioners were of different opinions. The majority felt that the funds for such a provision should be provided partly by the government and partly by private associations subject to superintendence by the Poor Law Commission. A minority composed of Lord Killeen, a prominent Catholic liberal, James Naper, and Charles Vignoles, a leading civil engineer, did not sign the final Report but gave a separate statement warning against voluntarism in the collection of relief funds. Nicholls also saw no hope in relief through voluntary charity, and developments in Scotland bore him out. When Nicholls wrote his History of the Irish Poor Law in 1856 the Scottish Poor Law had passed from voluntarism to compulsory assessment.<sup>57</sup>

The rating system proposed by the majority of the Commission was complex. Simplified, it amounted to a division wherein the occupier paid one-third of the rate. The rate on holdings of less than £5 valuation was to be charged entirely to the immediate landlord. It was recommended that the

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<sup>56</sup> Third Report (S.P. 1836, H.C. 43, XXX), pp. 25-27.

<sup>57</sup> Ibid., p. 28; McDowell, pp. 43, 134, 155; George Boase, "Vignoles, Charles Blacker," D.N.B., XX (1899), 309-310.



encumbrancers of encumbered estates be made to pay their share of the burden of the rates and that a permanent ceiling be set on the rates.<sup>58</sup>

The Commissioners' proposals were comprehensive and farsighted as a scheme for Ireland's economic development, but they far exceeded the interpretation put upon relief in 1836. Ostensibly following the Commission's own advice for caution in adopting suggestions for the relief of Irish poor, Lord John Russell proceeded to obtain the advice of Nassau Senior and George Cornwall Lewis on the contents of the third Report.<sup>59</sup>

Senior, a close friend of Archbishop Richard Whately, reported in a confidential letter to Lord John Russell his objections to the third Report. This letter of April 14, 1836 demolished some of the arguments of the Irish Commission's rating scheme and indicated legal and economic problems which the Commission's plans might cause. (It might be noted that Senior's objections were also applicable to the government's Irish Poor Law measure subsequently adopted by the Parliament in 1838.) He was critical of the depots for handling emigrants which the Irish Commission envisioned in the third Report (section 19, p. 26) for the same reasons that the Commission was critical of the workhouse, and both Senior and the Commission mutually indicted the workhouse. Senior did applaud the Irish Commission for having boldly stated the necessity of emigration on a large scale.<sup>60</sup>

Senior was very wary of legislation for poor relief and especially fearful of outdoor relief. However, he credited the third Report with having

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<sup>58</sup> Third Report (S.P. 1836, H.C. 43, XXX), pp. 28-29.

<sup>59</sup> Black, pp. 107-108.

<sup>60</sup> Letter from Nassau W. Senior . . . on the Third Report from the Commissioners for Inquiring into the Condition of the Poor of Ireland (S.P. 1837, H.C. 90, LI), pp. 5-7, 9.

exposed many errors on the subject of relief and with having made many valuable suggestions. He told Lord John Russell that the Report's proposals should be tentatively introduced at once all over the whole country as the Commission had suggested. He proposed that there be an annual report from the Commissioners of the Irish Poor Law which would sit in London while deputing one of its members periodically to Dublin.<sup>61</sup>

While he was never a lover of the Irish people, Senior did desire their improvement and remained unconvinced in 1836 that a Poor Law remedy could achieve this. From this pessimism he uttered this aside in his letter to Lord John Russell:

I will venture to say that I look forward to no permanent improvement in Ireland, until we have provided for the education of the people; first, by improving the education of their educators, the Priests; and secondly, by rendering those priests no longer dependent for their incomes on the superstitions and multiplications of their flocks. Reform in Maynooth and a provision for the Catholic Clergy seem to me essential parts of any measure for the real amelioration of the Irish peasantry.<sup>62</sup>

The contents of the above letter were not kept confidential by the Home Office, and because of this Senior wrote a statement of explanation which was published along with his letter in 1837. Therein he declared that his letter had been written before the Appendices of the Irish Commission's Report was published. He said of his evaluation of the Report:

My object was to suggest all the objections that could fairly be made to any part of it. The subject matter being the creation of a Poor Law . . . I felt

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<sup>61</sup>Ibid., pp. 10-11.

<sup>62</sup>Ibid., p. 12.

that no measure could be devised for that purpose which should not involve much certain evil and much danger. . . . But I did not state, and I ought to have done if I had been writing to any one but your Lordship, the evils and the dangers attending all the other plans at that time before the public, or those which must be encountered if Parliament should give up the matter as hopeless . . . (May 12, 1837).<sup>63</sup>

The danger of all plans for poor relief in Ireland had been felt by the government before Senior's observations were received. Of all the schemes for poor relief only the New Poor Law was beyond the planning stage and in actual operation. Fewer dangers were apprehended from its application to Ireland because of its tried success in England. Perhaps this line of reasoning affected the government's course of action. Any way, it is not a matter of speculation that Lord John Russell had decided in 1836 to ignore the final Report of the Irish Commission and to seek the extension of the New Poor Law to Ireland.

A confidential memorandum of the third Report was submitted to Thomas Spring-Rice, Chancellor of the Exchequer, by George Cornwall Lewis on July 22, 1836. At Spring-Rice's request Lewis had produced a critique entitled Remarks on the Third Report. Lewis' work strengthened the case against the acceptance of the Report of the Irish Commission. He had served as an assistant commissioner to Whately's Commission, but he disagreed with both the majority and the minority recommendations of the Commission. Lewis was the son of Thomas Frankland Lewis, one of the English Poor Law Commissioners, and strongly favored a general Irish Poor Law on the English model.<sup>64</sup>

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<sup>63</sup> Ibid., p. 3.

<sup>64</sup> Remarks on the Third Report of the Irish Poor Inquiry Commissioners for Inquiring into the Condition of the Poor of Ireland (S.P. 1837, H.C. 90, LI), pp. 5-7, 9.

The strongest argument of Lewis was his criticism of the Report's dependence on discrimination between the able-bodied and the impotent poor. The Report, according to Lewis, said that only the latter were to have a right to relief: the able-bodied could only emigrate. Lewis suggested that there were strong arguments for the relief of indigence as well as the impotence. Such a distinction would, in the opinion of Lewis, give a strong incentive to fraud and other evils. He foresaw much false illness, child desertion, falsification of age, and desertion of families under a discriminatory system.<sup>65</sup>

Lewis concluded that another kind of test for obtaining relief was necessary. He wrote:

Now if anything has been proved more decisively than another by the operation of Poor Law Amendment Act in England it is that the workhouse is an all-sufficient test of destitution, and that it is the only test. . . . It is superfluous to define the class to which the indigent person belongs. If favored classes are created, and if the test is also employed, the remedy is not co-extensive with the evil. It is both too wide and too narrow.<sup>66</sup>

His case for the workhouse was that the regime would be the test for destitution. Lack of personal freedom, not of bodily comforts, was its distinguishing characteristic.

The Irish Commission's Report envisioned extensive benefits for the able-bodied destitute in the form of a double national authority which would organize a continuous series of national improvements. It had concluded that the corrective effect of the New Poor Law wherein the pauper found employment rather than enter the workhouse was not applicable to Ireland. Lewis seemingly

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<sup>65</sup> Ibid., pp. 3-7.

<sup>66</sup> Ibid., p. 8.

ignored these views when he made a strained interpretation about the Report. Using the argument of silence in a questionable manner, Lewis put words into the mouths of the Irish Commissioners:

It will be observed that the Commissioners do not deny, generally, the expedience of giving the able-bodied a right to relief: indeed their very silence rather implies that they admit it, if armed with effectual guarantees against its abuse. But they deny the possibility of introducing the workhouse system into Ireland; and as relief to the able-bodied can only be administered with safety in the workhouses, it seems to them impossible to relieve the able-bodied.<sup>67</sup>

Lewis then recited the shibboleth of the detractors of the Irish Commission, "they exaggerate destitution." This contention was a chief basis for seeking an alternative solution to that offered in the final Report. In order to secure the adoption of the New Poor Law with its workhouse system for Ireland, it had to be proved that a reasonable number of workhouses could adequately house the genuinely destitute. The task of proving that this was true was not to be difficult, especially when the government was desirous that such be proven. The evidence demanded for the satisfaction of the government was little more than argumentative in nature as shall be shown shortly.

His own researches into the state of Ireland formed Lewis' next basis for evaluating of the Report. He declared that the Commission's provision for the poor, in excluding the able-bodied, would leave insecure the group most likely to perpetrate outrage and crime. The Report, it seemed to Lewis, would not pacify Ireland nor better her agricultural system by permitting the enlargement of farms.<sup>68</sup> These two goals were avidly desired by the political

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<sup>67</sup> Ibid., p. 12.

<sup>68</sup> Ibid., p. 15; See also Lewis' On Local Disturbances.

economists who influenced government policy toward Ireland.

The third Report's advocacy of emigration to relieve Irish poverty was supported by Lewis. He noted that the English Poor Law Commission favored emigration "in addition" to the workhouse system where unemployment abounded. While admitting that emigration would be more important in Ireland than in England, he saw no reason for dispensing with the workhouse as the Irish Commission had suggested.<sup>69</sup>

He found several other points upon which to criticize the Report: the impossibility for making vagrancy the grounds for deportation, the likelihood for abuse in a system not unfailingly clear of operation, and the duties of the Board of Poor Law Commissioners being too complex.<sup>70</sup> The last point of criticism was consistent with administrative modifications of the New Poor Law made by the Poor Law Commissioners in England.

The New Poor Law envisioned in the Report of 1834 by the English Poor Law Inquiry commission had favored the creation of the "well-regulated workhouse." What the Report of 1834 had recommended as the "well-regulated workhouse" was not a single building in each union for the administration of all outdoor relief but the adaptation in each union of facilities "in such a way that the indoor paupers might be classified, not in different parts of the same building, but in entirely separate institutions, under separate management, with a regimen appropriate to each class."<sup>71</sup>

The Poor Law Commissioners under the Poor Law Amendment Act had found this ideal difficult to implement. Under the influence of Sir Francis Head,

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<sup>69</sup> Ibid., p. 16.

<sup>70</sup> Ibid., pp. 17-19.

<sup>71</sup> Webb, Part II, I, 122.

who had been only an Assistant Commissioner during the 1832-34 Inquiry, and because of troublesome experience with specialized relief facilities the English Poor Law Commission adopted the "general mixed workhouse" by 1835. This latter type had been abhorrent to the Poor Law Inquiry Commissioners and especially to Chadwick.<sup>72</sup> Chadwick's influence on the administration of the English Poor Law would be diminished until with the appointment of George Cornwall Lewis to the Poor Law Commission in 1839 it vanished altogether.<sup>73</sup>

The duties of the boards of guardians in the English unions were made less complex under the "general mixed workhouse" system where one institution rather than several made for the more efficient management of indoor relief. Lewis desired this same simplification in the duties of the Irish Board of Poor Law Commissioners. Thus he opposed the plan in the third Report of the Irish Commission which would have given the administration of many specialized institutions to the Irish Poor Law Commissioners.<sup>74</sup>

In his memorandum to the government Lewis urged that the proposed Irish Poor Law be modeled on the New Poor Law "and that no departure from it should be admitted, unless imperatively required by the peculiar circumstances of Ireland." And he added that the Irish Commission's Report had failed to show that the circumstances in which Ireland differed from England were those which affected the principles of the New English Poor Law. The Irish Commission had not dealt with the problem of a "law of settlement." It was on this point alone where Lewis felt it desirable to depart from the English Poor Law.

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<sup>72</sup>Ibid., I, 122-131; Finer, p. 93.

<sup>73</sup>Finer, pp. 96, 101-111, 144-146.

<sup>74</sup>Remarks on the Third Report (S.P. 1837, H.C. 91, LI), pp. 18-19.

He favored the adoption of the "Scotch settlement of three years industrial residence."<sup>75</sup>

He gave as reasons for the adoption of an Irish Poor Law modeled on that of England the success of the New Poor Law, the evil of having different laws for different parts of the same kingdom, and the ease of implementing a principle of poor relief that was simple, definite, defensible and intelligible. Lewis suggested that relief be given in the workhouse only and that the workhouse be open to all. He saw the risks of a workhouse system as predictable and foresaw no great difficulties in managing the Irish as inmates.<sup>76</sup>

Of some portent for the future was Lewis' admission that the New Poor Law and its relief was intended for habitual relief of ordinary distress and that its machinery was not such as to afford support for the whole population in seasons of extraordinary distress. However, in Manchester township the English Poor Law machinery had handled ten times the normal amount of relief on occasions, and Lewis cited this instance to show that the New Poor Law could afford considerable relief during a time of extraordinary distress. The Irish Commission had criticized the New Poor Law as not able to provide sufficient relief in emergencies.<sup>77</sup>

Exactly a month after the reception of Lewis' memorandum, Lord John Russell wrote a letter of instruction to George Nicholls. Nicholls, who found Lewis' Remarks on the Third Report as similar to his own earlier memorandum to the government, was to go to Ireland on a mission of inquiry. The wording of

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<sup>75</sup> Ibid., pp. 21, 23-25.

<sup>76</sup> Ibid., pp. 21-22, 24-25.

<sup>77</sup> Ibid., p. 26.



his instructions, probably with a view to their later publication, revealed a strong correlation with Lewis' memorandum.<sup>78</sup>

Russell prescribed to Nicholls that he give direct attention to that part of the third Report which related to the relief of the poor by money payments and to relief by emigration.

You will examine how far it is judicious or practicable to offer relief to whole classes, whether of the sick, the infirm, or orphan children. You will consider whether such relief may not have the effect of promoting imposture, without destroying mendicity; and whether the condition of the great bulk of the poorer classes will be improved by such a measure.<sup>79</sup>

Nicholls was instructed to investigate the possibility of workhouses as a check on excessive relief. Other alternatives were to be considered only if the workhouse was thought to be inadvisable. The influence of Senior's criticism of the third Report of the Irish Commission was shown in Russell's specific indictment of the depot system for emigration.<sup>80</sup> With these instructions, which so well suited his own preconception about Irish poor relief, Nicholls left for Ireland in September of 1836.

In Ireland Nicholls met with Archbishop Whately. Whately wrote to his friend Nassau Senior of this meeting.

[Nicholls] is gone on a tour through Ireland to form the conclusion that Workhouses on a similar plan to those of England will be a safe and effectual remedy

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<sup>78</sup> Report of George Nicholls to His Majesty's Principal Secretary for the Home Department on Poor Laws, Ireland (S.P. 1837, H.C. 69, LI), pp. 1-2; Nicholls, p. 151.

<sup>79</sup> Report of George Nicholls, p. 1.

<sup>80</sup> Ibid., pp. 1-2.

for the distresses of Ireland. I do not say that he is right in this; I only foretell that he will come back with that conclusion, because he took it out with him, and he is not likely to lose it on the way.<sup>81</sup>

In six weeks Nicholls completed his survey of Ireland and submitted his Report to the government on the fifteenth of November. He presented a picture of Irish life very similar in detail to that of the Irish Commission. Both agreed that since there was little employment for day laborers the only general livelihood was farming for oneself. Both frequently referred to the large number of beggars and the widespread intemperance.<sup>82</sup> The difference between the reports lay in the remedies proposed.

Nicholls admitted the positive role played by the houses of industry in Ireland while noting their precarious financial position. He recorded that there was a widespread fear of a Poor Law by those who thought that a confiscatory levy would be necessary to support the numerous poor. His own opinion was that all circumstances appeared favorable for the introduction of the New Poor Law and that it would aid the transition of Ireland from a system of exceedingly small land holdings to the better practice of day labor for wages. Nicholls said that the clergy and the shopkeepers generally favored the introduction of the Poor Law. His chief argument for its adoption was the standard one: the workhouse could be relied upon as a test for destitution because of its unattractive regime.<sup>83</sup>

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<sup>81</sup>Whately, I, 361.

<sup>82</sup>Selection of Parochial Examinations, pp. 193, 202, 206, 279; George Nicholls, First Report of George Nicholls (2nd ed., London: Charles Knight, 1838), p. 9.

<sup>83</sup>Nicholls, First Report, pp. 14, 16, 18, 22, 24-27.

Destitution alone was to be recognized as the ground for relief, not others such as insanity, age or infirmity. Nicholls confidently claimed that eighty workhouses located throughout the country according to estimated needs would suffice for administering Poor Law relief in Ireland. He strongly advised that the Board of Poor Law Commissioners for Ireland be given greater powers over the local guardians of the poor than was the case in England. As reasons for this centralization of authority, he noted the lack of experience and parochial machinery in Ireland. The Irish Poor Law Commissioners, in Nicholls' judgment, would have the power to ignore parish boundaries in the creation of unions for poor relief.<sup>84</sup> One cannot but think of the Benthamite vision of centralization in the motives of Nicholls when he sought to increase the powers of the proposed board.

The Board of the Irish Poor Law was to control and direct the proceedings of the boards of guardians, to declare unions and to appoint paid officers to aid or supercede guardians. Nicholls proposed that ex-officio members of the local boards of guardians, that is, county magistrates, never exceed one-third of the membership. The clergy were to be excluded from board membership but were expected to co-operate in the initiation of the Poor Law machinery. Qualification for office holding and voting was to be according to the amount of poor rates paid and so was plural voting. The assessment of the poor rate was to be based upon net property value as in England under Poulett Scrope's Parochial Assessment Act. Finally, the rate was to be equally divided between the resident occupier and the immediate landlord.<sup>85</sup>

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<sup>84</sup> Ibid., pp. 27-28, 30, 37.

<sup>85</sup> Report of George Nicholls (S.P. 1837, H.C. 69, LI), pp. 16-18, 23-24.

Under Nicholls' plan the administration of the Poor Law in both countries was to be under the same board. The Poor Law was to be established immediately, but its application was to be gradual. As a system of public relief for destitution was established, there was to be a prohibition of mendicancy. This had never been possible before and had made local relief schemes unworkable. Also, union settlement rather than parish settlement was to be preferred, Nicholls concluded his memorandum with an estimate of the workhouse space which would be needed. This was to be set at one per cent of the Irish population and was based upon the amount of indoor pauperism in Kent, Berks, Sussex, and Oxford. These counties "were among the most highly pauperized, have been the longest under the operation of the new law, and are provided with the most effective workhouse accomodation."<sup>86</sup>

One of the most controversial points of Nicholls' Report was the advice that relief under the proposed extension of the New Poor Law was not to be considered a right.<sup>87</sup> The Irish Commission had prescribed that the right to relief exist for all the poor but not in the form of indoor or outdoor relief to the able-bodied. The humanitarians were greatly irritated at Nicholls' viewpoint on the right to relief. Poulett Scrope appealed to the natural law and denied the assumption of the New Poor Law which held that the right of the laboring man to live from the land is unfounded in nature and in law "and that poverty unaccompanied by misconduct, is a crime." Scrope said that such an assumption was made monstrous by the stigma of the workhouse test.<sup>88</sup>

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<sup>86</sup>Ibid., pp. 25, 27, 30-35, 37.

<sup>87</sup>Ibid., p. 40.

<sup>88</sup>G. Poulett Scrope, How Is Ireland to Be Governed? A Question Addressed to the New Administration of Ld Melbourne (London, 1846), 46.

Such humanitarian opinion had been voiced over the years and was not new. What was new was the government's willingness to ignore the strong tradition which supported the poor's right to relief in England. This willingness had catalyzed in the Poor Law Amendment of 1834. If the government was able to depart greatly from ancient custom in an English matter, it was not the least surprising that it could act similarly in Ireland where not even the tradition of a legal provision for the poor had existed except to a very qualified degree. The reformed Parliament was showing clearly in the matter of poor relief its bourgeois stress on individualism and laissez faire doctrine as contrasted with the patronizing landlord benevolence of the unreformed Parliament.<sup>89</sup>

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<sup>89</sup> Nicholls, First Report, 47-48, 64.

## CHAPTER VII

### THE PASSAGE OF THE IRISH POOR ACT

The Home Office was the pivot on which Irish policy and administration turned. Lord John Russell as the Home Secretary from 1834 was in favor of a change of system both on questions of policy and administration. He was eager to do justice to Ireland and facilitated this by the appointment of Lord Mulgrave as Viceroy, Lord Morpeth as Chief Secretary, and Thomas Drummond as Under-Secretary. By 1836 he had taken even further steps to reconcile Ireland. At the opening of the Parliamentary session he moved for the removal of every official who attended the meeting of an Orange lodge or of any other political club, and an amendment to this effect was passed with unusual support.<sup>1</sup>

Of the important Irish measures under consideration at the end of 1836, which included the Tithe Bill, reform of the Irish municipalities and poor relief, it was decided to give precedence to the latter. The King and the Cabinet had come to this decision. On January 2, 1837 in a letter approved by William IV, Sir H. Taylor wrote to Russell that His Majesty urged the postponement of other Irish measures until the introduction of a Poor Law. Russell forwarded the letter to the Prime Minister, Lord Melbourne. The Cabinet had not made up its mind on its Irish programme when the Parliament met. In the first days of February Lord John and Lord Melbourne agreed on temporarily

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<sup>1</sup>Spenser Walpole, The Life of Lord John Russell (London: Longmans, Green and Co., 1891), pp. 272-275.

abandoning the Tithe Bill and pressing forward the other Irish measures.<sup>2</sup>

On the thirteenth of February 1837 Lord John Russell moved for the House of Commons to resolve itself into a committee of the whole to consider a Poor Law for Ireland. Russell indicated that there was a case for a Poor Law when a country was overrun with marauders and mendicants, especially when such a measure would allow the prohibition of beggary and might produce social concord and class solidarity.<sup>3</sup> He evidently had modified earlier views.

When he had made his first trip to Ireland in 1833, Russell was disturbed by the widespread mendicancy and agrarian violence resulting from evictions. However, he had expressed little sympathy for the evicted and did not think that an Irish Poor Law was necessary. Instead, he had only been concerned about rackrented tenants and had an idea for a scheme in which the government purchased such estates.<sup>4</sup>

Now in a position to initiate a legal provision for the Irish poor, Russell saw utility in Poor Law measures which showed little sympathy for the evicted beyond the stigmatic relief of the workhouse. Having received Nicholls' Report endorsing the extension of the New Poor Law to Ireland, Russell advocated the application of the workhouse regime and suggested that the irksomeness of that system would balance the attractiveness of the warm clothing, sufficiency of food and shelter. He asked that attention be given only to the

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<sup>2</sup>Walpole, pp. 284-289. In only a few instances are William IV's letters holograph; most are from Taylor's hand by the king's order.

<sup>3</sup>3 Parl. Deb., XXXVI (1837), 453-455.

<sup>4</sup>Davis, pp. 252-253.

the indigent and that many other measures for the improvement of Ireland which had been recommended by the Irish Commissioners be left for future considerations.<sup>5</sup>

Contrary to the Reports of the Irish Poor Law Inquiry Commission, Russell favored relief to all the destitute, even the able-bodied unable to find employment, rather than to permit starvation. The Commission had planned that the able-bodied be relieved by public works and emigration. Nicholls had desired that relief be at the discretion of the guardians of the poor and that the test of the workhouse be used to discover the genuinely destitute.<sup>6</sup>

Lord John Russell declared that he had undertaken his own inquiry, Nicholls' assignment, because of doubts about the accuracy of the final Report of the Irish Commission as to the number in destitution at certain times.<sup>7</sup> And although he may have been influenced to ignore the Report for other reasons, the disagreement over the number of those who would have to be relieved was a genuine one. The Irish Commission had placed the number of those in need of relief at one time during the year at 2,300,000 while Nicholls had said that the number of destitute did not exceed 80,000. Although these widely different estimates were based on widely different definitions of poverty, there was as much reason to doubt Nicholls' estimate as the other and many critics did.<sup>8</sup>

Parliament was asked by Russell to undertake an experiment with five, ten, or fifteen workhouses in Ireland. His proffered Irish Poor Law Bill provided that the poor rate was to fall equally on the landlord and the tenant,

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<sup>5</sup>3 Parl. Deb., XXXVI (1837), 458.

<sup>6</sup>Ibid., pp. 459-460.

<sup>7</sup>Ibid., pp. 462-463.

<sup>8</sup>Ibid., pp. 483, 486-487, 491.



but to protect the propertied from the possibility of confiscatory rates, the Bill made provision for plural voting for the board of guardians by large property holders.<sup>9</sup>

The Irish Poor Law Bill did not include a law of settlement. The manufacturing interests found such a law an obstacle to their demands for labor and were not anxious to see such a measure introduced into Ireland. But, others who were concerned over the mass emigration of the Irish to Great Britain and its consequences on British labor favored a settlement law for Ireland. The leading figures in Parliament who were involved in the debates over the Poor Law were strongly divided on extending the law of settlement. The opposition to settlement included among its adherents Lords John Russell, Howick and Morpeth, Daniel O'Connell, A. H. Lynch and William Smith-O'Brien. Among those favorable to settlement were Edward Stanley, Sharman Crawford, Thomas Wyse, and Poulett Scrope.<sup>10</sup>

Lord Clements wrote that while the lack of a law of settlement was a strong objection to the Poor Law Bill he believed that the guardians, Central Poor Law Commission, and even the paupers might settle this better than the legislature could. Lord Clements foresaw that the landlords might not be responsible to their tenants in the matter of ejectments and in employment practices if there was no law of settlement. Yet, he also saw the possible advantages of the absence of a law of settlement. For example, the lack of

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<sup>9</sup> 3 Parl. Deb., XXXVI (1837), 471.

<sup>10</sup> Charles Haliday, Necessity of Combining a Law of Settlement with Local Assessment in the Proposed Bill for the Relief of the Poor of Ireland (Dublin: Milliken and Son, 1838), p. 3.

settlement would favor industry, and there would be less of the offensive warfare between parishes which had been characteristic in England.<sup>11</sup>

It was conceded by Russell that his Poor Law measure would not prohibit persons from seeking alms when they were refused relief at the workhouse. Realistically, he stressed that the workhouses by themselves were insufficient to end destitution without new means of employment, some use of emigration and the institution of public works to open new sources of industry. However, he believed that these means of perfecting a Poor Law establishment be kept outside of the Bill.<sup>12</sup>

The debate on Lord John Russell's Bill developed over skepticism of Nicholls' plan rather than the object, relief of the Irish poor. Opposition to the Bill, however, was not very great. Some criticized Nicholls' estimates of the number of the destitute, but more were critical of the figures set by the Commission. Daniel O'Connell condemned the Bill for its dependence on Nicholls' hasty Report. O'Connell added, nevertheless, that he would cooperate as it was his duty and everyone's to do so.<sup>13</sup> Many who were lukewarm or even cool in their support of the measure would vote favorably for just such sentiments.

Archbishop Whately, the chairman of the Irish Commission of Poor Law Inquiry, was not so resigned. He considered the "simplicity and practicality" of Nicholls' scheme as evidence that Nicholls had failed to perceive most of the difficulties. Whately felt that Ireland and England could not be assimilated

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<sup>11</sup> Clements, pp. 124-130.

<sup>12</sup> 3 Parl. Deb., XXXVI (1837), 469, 473-476.

<sup>13</sup> Ibid., pp. 483-487; Remarks on the Bill for the More Effectual Relief of the Destitute Poor in Ireland, pp. 11-14, 22-24.

as far as Poor Laws were concerned because the lack of employment was real in Ireland, and the abuses and evils of the Old Poor Law were not Irish problems.<sup>14</sup>

Russell was far from lacking supporters for his measure. One of the more important defenders of his decision to supercede the Irish Commission's Report was William Stanley. This prominent Whig cleric wrote that the Commission had become so dismayed that it became incapable of devising any practical measure of relief while at the same time it was critical of both the Old and the New Poor Law. Stanley's opinion was that the Commission's Report contained theories not founded on the evidence taken but merely deduced from the census tables of 1831. He also felt that it had proposed nothing definite for the relief of pauperism and had made no general enumeration of paupers nor any estimate of the extent of destitution and the cost of relieving it.<sup>15</sup>

The rest of the year 1837 saw the publication of many pamphlets dealing with Russell's Irish Poor Law Bill. They ran the gamut from praise to disapproval of Nicholls' proposal, often weighing it point by point. Some dismissed it as totally insufficient to deal with the problem adequately or as missing the point altogether. These writers stressed the necessity of auxiliary measures beyond a workhouse system such as emigration or adoption of a loan system.<sup>16</sup> One noted Nicholls' failure to consider sufficiently the dissimilarities between Ireland and England. The destitution of Ireland was obviously

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<sup>14</sup>Whately, I, 199, 394.

<sup>15</sup>William Stanley, pp. 3, 13.

<sup>16</sup>Robert Torrens, A Letter . . . on the Ministerial Measure for Establishing Poor Laws in Ireland (London: Longman, Rees, Orme, Brown and Green, 1837), pp. 4-48, 91-95; Ward, The First Step to a Poor Law for Ireland, pp. 7-8, 19-23, 39-40; Remarks on the Application of the Workhouse System (London: James Ridgway and Sons, 1837), p. 42.

different in character from that of England, "Nicholls sees and acknowledges this difference, and yet recommends the same remedy for both."<sup>17</sup>

Again, some writers expressed opinions on the manner in which Lord John Russell had set aside the Irish Commission's Report and accepted Nicholls' in its place. Several asked why the remedies of the former had been rejected while its methods and impartiality were not impugned. One requested that Parliamentary committees be appointed to examine and compare both with care.<sup>18</sup> Frequent accusations were directed at the haste with which Nicholls had completed his Report. On the other hand, another writer declared of the Commissioners, "Their real object was to deter Parliament from entertaining any project of relief, by the abortiveness of some of their expedients, and the inapplicability of others."<sup>19</sup>

Many of the pamphleteers were concerned with whether or not the general effects of the workhouse system of relief would raise or lower the prosperity of Ireland. An argument against the workhouse system was that it was not pliable since it did not allow graduated relief but only total relief or none at all. A writer chided advocates of the workhouse with the remark that the New Poor Law still shone with the gloss of novelty but that soon this would disappear.<sup>20</sup> Many writers, however, waxed optimistically on the expected benefits of a Poor Law founded on the workhouse test. They felt the need of the

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<sup>17</sup> Strictures on the Proposed Poor Law for Ireland (London: James Ridgway and Sons, 1837), pp. 21-25.

<sup>18</sup> Torrens, p. 56; Ward, p. 2; Strictures on the Proposed Poor Law, pp. 3, 6-7, 88-90.

<sup>19</sup> Remarks on the Application, pp. 6-7.

<sup>20</sup> Remarks on the Bill, pp. 33-34.

workhouse system to avert frauds and all the evils of the Old Poor Law.<sup>21</sup>

It was the expectation of specific effects which most concerned those advocates and opponents of the Bill who were truly worried about the future of Ireland. Of prime consideration by all was the estimate of the number to be relieved under the workhouse system. Lord John Russell's Bill largely adhered to Nicholls' rigid belief in the sufficiency of one hundred workhouses with a capacity of 80,000 to relieve the destitute. His Bill offered relief to all but only in the workhouse and at the discretion of the guardians. The widespread belief that the number of destitute exceeded Nicholls' estimate made Russell's Bill seem an awful threat to property. The whole property of the country might be consumed in building workhouses sufficient for the demands.<sup>22</sup>

Daniel O'Connell, who in the end fought the passage of the Irish Poor Relief Bill, estimated that more than one-fourth of the rental and tithes would be needed to provide relief for just the destitute who were unable to work and three times that much to relieve the able-bodied unemployed. He noted that the government considered £312,000 per year would suffice to establish the workhouses while, in fact, in Dublin alone £103,800 was given annually to poor relief by private charity. O'Connell contrasted the government's frugality toward Ireland with the £20,000,000 just given for the emancipation of the West Indian Negro slaves.<sup>23</sup>

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<sup>21</sup> Ibid., p. 8; "Bill for the More Effectual Relief of the Destitute," British and Foreign Review, V (1837), p. 395.

<sup>22</sup> A Word or Two on the Irish Poor Relief Bill and Mr. Nicholls' Report (London: H. Hooper, 1837), pp. 17-18; Remarks on the Bill, pp. 24-25, 28; Torrens, pp. 58-64; Remarks on the Application, p. 13.

<sup>23</sup> Cusack, I, 497-498, 501, 504-505.

Those concerned about the numbers of those to be relieved responded in varied ways to the workhouse feature of the Bill. Robert Torrens saw the only alternative open to the mass of the unemployed under a workhouse system as emigration. To him it was inconceivable that such a number could emigrate in a short time without government aid. Even so, he believed that the effects of such emigration on England would be dreadful.<sup>24</sup> This was a strong argument against the Bill.

The chief defense of Russell's Bill was that the workhouse feature would be a guarantee against undue applications, and some writers felt that experimental use would disprove the contention that the workhouses would have to be vastly capacious in Ireland, as experience in England had similarly proved.<sup>25</sup> Against this argument was posed the dilemma, as one writer saw it, "not that the country would become one great lazaret-house, but that the system would be applicable to so few, that it would leave the main evils and general mass of poverty unremedied."<sup>26</sup> He added that since some 500,000 were destitute because of unemployment for part of each year, a genuine relief measure must affect them. While believing that the workhouse system was the only secure foundation on which to raise the superstructure of a Poor Law, he wrote that such by itself would fail to produce the advantages which were anticipated.<sup>27</sup>

A specific problem in extending the New Poor Law to Ireland under Russell's Bill was the management of the Poor Law establishment. Writers in 1837 saw this as a real problem. Some sources felt that the conditions in Ireland

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<sup>24</sup>Torrens, pp. 81-84.

<sup>25</sup>"Bill for the More Effectual Relief of the Destitute," pp. 390-392.

<sup>26</sup>Remarks on the Application of the Workhouse System, p. 41

<sup>27</sup>Ibid., pp. 14-15, 42.

prohibited a Poor Law similar to that of England because of the greater amount of destitution and the lack of able personnel to administer the system.<sup>28</sup>

Bishop James Doyle was one who gave a rebuttal to the latter argument. He said that until recent times utter corruption had prevailed in the administration of Ireland, high and low, Church and state, and if such progress in purity and honesty had been made in the administration, courts and Church, why not in the management of poor relief funds. He even suggested that Ireland had the advantage over England in managing a Poor Law system since there were no ingrained abuses to overcome.<sup>29</sup> While these remarks had not been made in reference to Nicholls' scheme, they were usable in its defense.

The existence of adequate personnel for the management of a Poor Law seemed true for most of Ireland. However, Russell's Bill undermined this fact by proposing the exclusion of clergymen from the boards of guardians. Clergymen in Ireland were an important and educated group in a nation largely composed of barely literate peasants. This exclusion was a controversial point of the Bill. Important laymen were opposed to this step.<sup>30</sup> Prohibition of the clergy from the boards would exclude the natural leaders of the Catholic peasantry and might permit the dominance of the Protestant gentry over the proposed Poor Law establishment. Yet Nicholls in his Report had considered the exclusion of the clergy as a move to lessen Protestant control.<sup>31</sup>

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<sup>28</sup> Remarks on the Bill, pp. 30, 32-33; John Tylden, On Irish Poor Laws (London: J. E. Coulter, 1837), pp. 17-18.

<sup>29</sup> Doyle, Letter to Thomas Spring-Rice, pp. 38, 42, 45-49.

<sup>30</sup> A. H. Lynch, An Address . . . on the Poor-law Bill for Ireland (Dublin: Charles Knight, 1838), pp. 2-3.

<sup>31</sup> Report of George Nicholls (S.P. 1837, H.C. 69, LI), pp. 17-18; Strictures on the Proposed Poor Law, pp. 60-61.

To prevent any undesirable development on the local level of Irish Poor Law administration Nicholls had the Benthamite solution of the New Poor Law in mind. The chief powers of administering the Poor Law system were to be vested in a central authority. The English Poor Law Commission was considered the most apt central authority for the Irish Poor Law. Accordingly, Lord John Russell's Bill stated that there was to be no separate Commission for Ireland but that the English Commission was to entrust one or two of its Commissioners and some assistant commissioners with the management of Irish Poor Law affairs.<sup>32</sup>

This centralization was part of the Bill in spite of some who feared such power in the hands of the three English Poor Law Commissioners. Even the discarded Report of Irish Poor Law Inquiry Commission had recommended that the powers for carrying into execution its schemes be "vested in Poor Law Commissioners, as in England."<sup>33</sup>

Following Nicholls' advice, the Irish Poor Relief Bill gave the English Poor Law Commission more power in Ireland than it had in England. It could create unions of existing parishes for the maintenance of workhouses, appoint officers, raise taxes, judge tax grievances, and make indoor poor relief available but undesirable.<sup>34</sup> Those who feared this centralization of power advocated that the Irish share in the administration of the Poor Law experiment and criticized the machinery suggested by Nicholls and accepted by Russell as unwieldy.<sup>35</sup>

<sup>32</sup> Parl. Deb., XXXVI (1837), 471; Nicholls, First Report, p. 67.

<sup>33</sup> Third Report (S.P. 1836, H.C. 43, XXX), p. 25.

<sup>34</sup> Strictures on the Proposed Poor Law, pp. 62, 67; Nicholls, First Report, pp. 30-37.

<sup>35</sup> A Word or Two on the Irish Poor Relief Bill, pp. 2, 6-9.



When Russell introduced the Irish Poor Relief Bill in February the House of Commons received the proposal with more favor than he had expected. The Bill was largely Russell's measure as he had overridden the minor objections of other Cabinet ministers. It obtained widespread non-partisan support from Whig and Tory members and progressed rapidly toward its final passage. By February 17, 1837 the Bill had been read a second time, and less than a week later was before the committee of the whole. This was a signal victory for the government and built up the expectations of its friends.<sup>36</sup> From then on the fortunes of the Ministry declined; a revival of the Tithe Bill was unsuccessful, and the Municipalities Bill was stymied. The final blow to Russell's hopes was the death of the king which brought the prorogation of Parliament before the Irish Poor Relief Bill had passed. However, there was a bright side to this loss. There was no longer any question about the resignation of the Ministry. The fate of the Whig government depended on the verdict of the country and not on the fortunes of any measure. The Whigs did win a small majority in the new Parliament.<sup>37</sup>

After Russell's near success in the passage of the Irish Poor Relief Bill, he was not idle in the interim before the new Parliament met. Set on smoothing the passage of his Bill, he planned to satisfy some of the objections which had arisen over it in Parliament. To this end he sent Nicholls to re-visit Ireland. For example, to answer the contention that his Poor Law measure

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<sup>36</sup>Walpole, pp. 289-290; Black, p. 109.

<sup>37</sup>Ibid., pp. 290-295.

was inappropriate for Ulster, Nicholls was especially directed to study that region, an area neglected in his 1836 visit.<sup>38</sup>

In the manner of a propagandist Nicholls prefaced his Second Report with a declaration of his intention to be objective, "I have endeavoured to divest my mind of all preconceived impressions, and to judge the facts and circumstances which came under my notice without regard to my previous conclusions." However, in the Report Nicholls hastened to state that in the new survey he had not found reason to materially change previous opinions on poor relief. He asked that the public be guarded against an exaggerated anticipation of the Poor Law's effects. He stressed that the Poor Law's immediate object was relief for the destitute.<sup>39</sup>

The Second Report brought clearly to the fore one of the chief objectives of the Poor Law, an objective especially desired by the political economists who were influencing the government's policy towards Ireland. This objective, in Nicholls' words, was to detach people from the land. Nicholls agreed that the improvement of the condition of the people would increase the productive powers of the country, an argument advanced by the Irish Commission and humanitarians. However, Nicholls stated his belief that no lasting improvement could be effected so long as the division of the land into small holdings continued under which the population was forced down to a subsistence standard of living. He thought that the Poor Law would facilitate the consolidation of holdings, and benefit all classes.<sup>40</sup>

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<sup>38</sup> Second Report of George Nicholls . . . on Poor Laws, Ireland (S.P. 1837-8, H.C. 104, XXXVIII), p. 3.

<sup>39</sup> Ibid., p. 5.

<sup>40</sup> Ibid., p. 13.

The main body of the Second Report was devoted to answering objections to the original Irish Poor Relief Bill. Nicholls still opposed a law of settlement as part of the Irish Poor Law. His answer to those anxious about Irish emigrants in England was to recommend defraying the costs of emigration to the colonies. Such aid to the poor was a part of the English Poor Law. He cited the existing machinery: the government-paid emigration agents in Dublin, Belfast, Cork, Londonderry, Sligo, and Limerick. Furthermore, he indicated how such machinery could be improved and the importance of emigration for Ireland.<sup>41</sup>

Some slight modifications in the Irish Poor Relief Bill were urged by Nicholls. Thus, he favored exempting occupiers of holdings valued at £5 and less from the poor rate. But in the main he defended his earlier views. The absolute necessity of suppressing mendicancy when the Poor Law measure was established was repeated. Nicholls rested his hopes for fair rating on the systematic and thorough survey and valuation being conducted by the government.<sup>42</sup> This important step was the key to the success of the Irish Poor Law administration and was to make modern government administration possible for Ireland.

Nicholls also sought to show that poor relief by voluntary contributions was both insufficient and failing in Ireland. This argument buttressed the case

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<sup>41</sup>Ibid., pp. 14, 18-19, 22.

<sup>42</sup>Ibid., pp. 13, 25-28. Nicholls answered the following objections which had been advanced against the original Irish Poor Relief Bill: it was not applicable to the North of Ireland; it should include a law of settlement; the right to relief should be given; it should provide for outdoor relief; it should provide for emigration; the estimate of the number of the destitute is erroneous; the mode of rating and collecting is wrong; the unions as intended are too large or too small; the clauses for the suppression of mendicancy are objectionable; the measure should be established simultaneously over the whole of Ireland; cumulative voting for the guardians is objectionable; the powers of the Poor Law Commission are objectionable.

for a compulsory poor rate. He reiterated his proposal for the workhouse test in the relief of the destitute. As proof that it was the all-sufficient test he quoted the testimony of English workhouse overseers about Irish inmates. The evidence indicated that while the Irish peacefully submitted to the test of the workhouse they abhorred it and entered only in extremities.<sup>43</sup>

The second Report of Nicholls was apparently very pleasing to Lord John Russell. He would certainly make great use of it as evidence and as argument in his renewed efforts to win passage of the Irish Poor Relief Bill. In addition, the Reports of Nicholls were published in 1837 and again in 1838 at the direction of the Home Secretary, Russell. Their publication undoubtedly aided the Bill, especially in the Parliament where it was a fairly popular measure already.

From other quarters Russell's Bill received more sustained criticism. This was especially true of the press. Also, Archbishop Whately continued to be very agitated at the reception of his Commission's Report and even more so because it had been supplanted by Nicholls' Report, which Whately castigated. Whately wrote to Nassau Senior in November of 1837 of his fear that Nicholls' schemes would be approved for their "simplicity and practicability" as contrasted with the Irish Commission's "complexity and onerous machinery." Nicholls' plan consisted, Whately believed, in making no legislative provisions for any of the numerous important and difficult details, but devolving the whole task of making laws on the Commissioners of the Poor Law.<sup>44</sup>

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<sup>43</sup> Ibid., pp. 6-7, 10-11.

<sup>44</sup> Whately, I, 394-395.

The response of the government to Whately's sense of grievance was not sympathetic. By the autumn of 1837 he had become persona non grata to the Prime Minister, Lord Melbourne. A letter of Melbourne to Russell in September expressed relief that Whately had been passed over in an appointment to a commission. Lord Melbourne wrote, "It is impossible to be with the Archbishop of Dublin for ten minutes upon affairs without perceiving not only that he can do no business, but that no business can be done where he is."<sup>45</sup>

The Cabinet and the Parliament were agreed that some remedial measure must be applied to Irish destitution if only to satisfy public opinion. However, many were disturbed that in order to meet this desire the Cabinet was determined to propose a Poor Law solution. Isaac Butt, a disciple of Whately's political economics, protested against Nicholls' plan.<sup>46</sup> He and Whately opposed the attitudes that something must be done for the Irish poor, that nothing could worsen their condition and that what was a good thing for England would be a good thing for Ireland.<sup>47</sup>

The prorogation of Parliament might well have brought the demise of Lord John Russell's Irish Poor Relief Bill. There was developing in 1837-8 a tremendous agitation in England for the repeal of the New Poor Law, one reason being the worldwide depression and its accompanying mass unemployment.<sup>48</sup> However, the poll returned the Melbourne Ministry and Lord John Russell remained

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<sup>45</sup> Rollo Russell (ed.), Early Correspondence of Lord John Russell 1805-40 (London: T. Fisher Unwin, 1913), II, 203.

<sup>46</sup> Isaac Butt, The Poor-Law Bill for Ireland Examined (London: B. Fellowes 1837), pp. 4-5; George C. Boase, "Butt, Isaac," D.N.B., III (1886-7), 545-546.

<sup>47</sup> Whately, I, 401-402, 199.

<sup>48</sup> Finer, pp. 140-142; Webb, Part II, I, pp. 153-174.

as Home Secretary, the adamant proponent of introducing the new Poor Law to Ireland. In fact, as has been noted, he was now convinced that the full measure of the Poor Law Amendment Act of 1834 instead of only the workhouse establishment be extended to Ireland.

The new Parliament, the first of Victoria's long reign, did not show the displeasure with the New Poor Law that the people did. Even members who had campaigned against it showed less than opposition when actual repeal of the New Poor Law was brought to a vote. In February of 1838, only 17 members supported repeal.<sup>49</sup> Thus, it was with optimism that Russell re-introduced his Bill on the first of December 1837. This second Irish Poor Relief Bill incorporated the modifications of the original urged by Nicholls' Second Report and by Chadwick.

The speech of Russell was founded on the most attractive tenets of laissez faire economics. The chief argument was that the welfare and prosperity of the poor depended on the welfare and prosperity of the whole community and that the latter was dependent on general government or general legislative enactment. Accordingly, the welfare and prosperity of the poor was dependent on general government or general legislative enactments and not on special laws for a particular purpose. Russell urged that a law affecting the relief of the poor be founded on relieving destitution, the goal being the maintenance of public tranquility. He contended against the notions that Poor Laws were to bring improvement to the laboring classes in the form of higher wages, etc., in fact, he held that such notions were the cause of the abuses of the Old Poor Law.<sup>50</sup>

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<sup>49</sup> Webb, Part II, I, 173-174. Disraeli was numbered in this small band of Tories and philanthropic Radicals.

<sup>50</sup> 3 Parl. Deb., XXXIX (1837), 477-479.

Russell then reviewed the history of Irish poverty as recorded from Petty through Newenham. He criticized the Irish Commission's Report for confounding the general improvement of Ireland with poor relief and for proposing poor relief only to the impotent. Lord John Russell defended Nicholl's estimate of the number of Irish destitute likely to seek workhouse relief and cited William Stanley's pamphlet supporting Nicholls' figure. Frederick Shaw, the parliamentary leader of the Irish conservatives, expressed his doubts as to the accuracy of the estimates of both Nicholls and the Irish Commissioners. Shaw opposed the Irish Poor Relief Bill in general but approved of the modification in the second Bill making some provision for emigration. Russell had introduced such a provision to the Bill, in his words, "a clause nearly the same as that in the English Poor Law Bill."<sup>51</sup>

Later, in February, the Bill received its second reading amidst considerable and favorable oratory. What emerged was a non-partisan consensus to support the Bill without a wide agreement on details. For example, Poulett Scrope supported the Bill because he saw it as a measure of pacification. Smith-O'Brien and Sharman Crawford, likewise, gave the measure qualified support. To Russell's great pleasure Shaw decided to support the principle of the Bill.<sup>52</sup>

When the measure came before the committee of the whole its opponents were given their last real chance to modify its form. Only O'Connell fought strongly to block its passage. He attacked the Poor Law found in the Irish

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<sup>51</sup> Ibid., pp. 479-487, 491-494.

<sup>52</sup> 3 Parl. Deb., XL (1838), 774, 778-779, 782-783, 789.

Poor Relief Bill as a sham. He was vehemently critical of Nicholls' distinction that there was much more poverty in Ireland than in England but much less destitution in Ireland than in England. O'Connell contended that as it was almost impossible at times to discriminate between them such a distinction was an odd basis for legislation. In addition, he cast aspersions on William Stanley's pamphlet which defended the authority of Nicholls' estimate of the number of destitute in Ireland.<sup>53</sup>

Lord John Russell then thanked O'Connell for his moderation and put to him the question of how he could prefer the Irish Commission's Report when he was against all compulsory relief. Smith-O'Brien indicated his special support for the emigration clause of the Bill along with his opposition to the central authority of the English Poor Law Commissioners being extended to Ireland, an objection of O'Connell. Lord Clements, who supported the Bill, urged that the Poor Law be introduced first in the western districts "for unless it succeeded there, it would certainly fail altogether." The New Poor Law in England had been first introduced into the most pauperized parishes.<sup>54</sup>

By April the last attempts to disable the Bill by amendment had failed. Russell had led the Parliament to subscribe to the narrow bounds of Nicholls' Second Report in the matter of an Irish Poor Law. Attempts like that of Scrope to make Irish relief more flexible had failed. Scrope had moved for an additional clause to the Bill providing outdoor relief when the workhouses were full to those employed on public works. On April 30, against Lord Stanley's objection, the Bill passed its third reading by a vote of 234 to 59.<sup>55</sup>

<sup>53</sup> Ibid., pp. 947, 949-950, 954-958.

<sup>54</sup> Ibid., pp. 965, 971-972, 978; 1009, 1021.

<sup>55</sup> 3 Parl. Deb., XLII (1837-8), 538-540, 675, 712, 715.



The passage of the Irish Poor Law was greeted with plaudits and warnings by numerous pamphleteers. A. H. Lynch said that it would be sad if the Irish gentry succeeded in limiting the Poor Law to the aged, infirm, and impotent poor; then mendicancy could not be suppressed, and the common people would pay the poor rate and the cost of mendicancy. Lynch, a member for Galway and the Chairman of the 1835 Select Committee on Public Works (Ireland), was a particularly strong advocate of a public works policy for Ireland. However, he thought that the Poor Law was indispensable and conceived of public works as supplementary to it.<sup>56</sup>

An anonymous pamphleteer agreed as to the necessity of the measure but questioned the decision to lay the burden of rates exclusively on the land and thus to weigh down a class already embarrassed. He defended the landowners over the shopkeepers and lawyers, citing that only the former class accepted daily labor for a debt. According to him the landowners were often victims of heavy mortgages.<sup>57</sup> The truth of this would be seen with the Great Famine and the liquidation of the encumbered estates.

Other pamphleteers indicated their belief, like Edwin Chadwick, in the need for government interference to create the necessary conditions for laissez faire economics to become operative. Men must be directed to a line of behavior that was in their own self-interest. The notion of the state acting as a referee is seen in Lynch's contention that the interference of the government in the matter of poor relief in Ireland was requisite:

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<sup>56</sup> A. H. Lynch, An Address to the Electors of Galway, on the Poor Law Bill for Ireland (London: Charles Knight, 1838), pp. 3-4, 39-40; Black, p. 174.

<sup>57</sup> Irish Landlords as They Are, and the Poor Law Bill (Dublin: Hodges and Smith, 1838), pp. 5, 10-11, 14, 19.

Interference of this kind is an imperative obligation on the legislature. The protection of property and maintenance of the public peace might as well be left to individual care, as leave the protection of the poor to individual bounty.<sup>58</sup>

The same thinking is seen in Lord Clements' view that a Poor Law was necessary for Ireland largely because there were elements in the economic position of the classes in Ireland which tended to prevent their mutual cooperation, and only a Poor Law seemed to him capable of creating the conditions for self-interest to work for the common good. Clements did add the following warning in laissez faire terms: "Though a Poor Law is eminently required to put the social machine into proper motion, it should not attempt anything more, or it will do the greatest mischief."<sup>59</sup>

In praise of the Irish Poor Law he wrote that it would not disturb the existing state of things as the peasants feared might be the case. Interestingly, Clements portrayed the peasants as accepting laissez faire as the best of all possible systems.<sup>60</sup>

If support for an Irish Poor Law could come from the pen of one with avowedly economic motives, then it is not surprising to find other economists supporting such a provision. Herman Merivale, then Professor of Political Economy at Oxford, was in this category. He felt that it was to the advantage of all to consolidate the landholdings in Ireland. To him there was real danger in any system supporting small scale agriculture. Such opinion directed his attention to the much discussed legal provision for the Irish poor. His

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<sup>58</sup> Lynch, pp. 39-40.

<sup>59</sup> Clements, p. 140.

<sup>60</sup> Ibid., p. 76.

observation was:

That a Legislative Provision for the Poor, in the present economical condition of Ireland, can effect no substantial good--But it may be of utility in assisting the transition to a system of Combined Labour and Capital.<sup>61</sup>

Shortly before its passage by Parliament Clements laid down some wise guidelines for the application of the Poor Law to Ireland. He felt that existing conditions like conacre payments in lieu of wages, tiny farms and tenacity in adhering to the land could be put to good advantage under the principles of the New Poor Law as administered in England. As long as money was scarce, there would be conacre; as long as capital was small, there would be tiny farms; and as long as the rate of wages was low, there would be tenacity in adhering to the land. When and if the Poor Law reversed these, then there would be a change to wage-paying, larger farms and mobility of labor. He warned that if tenacity in adhering to the land was relaxed before then that the landlords would convert much land to grazing purposes thereby creating more unemployment.<sup>62</sup>

Clements advised, "The great object of the promoters of a Poor Law should be, not to attempt to do too much with it." Accordingly, he said that before small farmers give up their land, labor at tolerable wages must be provided and that before good wages could be paid men must be taught to earn them. On this last point he commented, "Men who are accustomed to receive but

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<sup>61</sup>Herman Merivale, Five Lectures on the Principles of a Legislative Provision for the Poor in Ireland (London: Charles Knight, 1838), pp. 44-45.

<sup>62</sup>Clements, pp. 76-79.

eightpence for a day's work, are not able to do much more than eightpence worth of work."<sup>63</sup> He advocated gradualism because to him the population could be de-pauperized only by inducing people to de-pauperize themselves. He believed that the problem of the industrious able-bodied laborer being reduced to mendicancy would be solved as soon as it was made the interest of the rate-payers to get rid of the burden of supporting paupers unprofitably.<sup>64</sup>

Lord Clements made a special note of conditions in the western parts of Ireland. These included the "congested districts," a later appellation for the extremely over-populated parts of western Ireland. He did not exaggerate when he said that the details of conditions in the western parts were unknown to those even in Leinster let alone in Great Britain. There he saw the great challenge to the Poor Law. A much larger proportion of the population occupied the land independently than elsewhere. The Poor Law rates would be paid by those one step from destitution, and they would be enormously high. He detailed the social and economic problems that would face the implementation of the Poor Law.<sup>65</sup> Time would bear out the accuracy of his warning.

Clements foresaw some of the effects of the workhouse regime, and he had advice to give on the management of the workhouse. Thus, he predicted that during distress seasons public opinion would be shocked by the admission of able-bodied men with their families to the workhouse. By law only whole families were to be allowed admittance. Optimistically, Clements thought that the result would be that farmers would immediately hire them again and bring

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<sup>63</sup>Ibid., p. 80.

<sup>64</sup>Ibid., pp. 81-82.

<sup>65</sup>Ibid., pp. 83-90, 94, 96-97.

them out. For the same reason he saw no advantage in making workhouse labor profitable because the rate-payers might become indifferent whether or not the able-bodied paupers entered or remained in them. He asked that the tenantry be made fully conversant with the consequences and effects of the New Poor Law. For example, it should be shown to them that there was an advantage in the occupier paying half rather than none of the poor rate since they would be given the administration of the system.<sup>66</sup>

He then cited some misconceptions which the English had about the Irish and Ireland. Thus, he indicated that the clause in the Irish Poor Law Act which made only those paying a rent of £5 or more rateable was an error. Such a clause failed to consider the western parts where nine-tenths of the holdings were under the value of £5. He advocated exempting cottiers only from the rates and giving the Commissioners of the Poor Law the power of fixing the value below which the rate would not be charged on the occupier. He argued against Nicholls here. Clements claimed that the £5 clause would "throw the greatest obstacles in the way of the very object it is probably intended to promote--the consolidation of small farms."<sup>67</sup> Lord Clements felt that where the large proportion of the population were not rate-payers, they would sympathize with schemers who attempted to put their families in the workhouse and work themselves. Such would make the work of the officers difficult, and the evil of one class taxing another for the support of a third would exist.<sup>68</sup>

The wisdom of Lord Clements' remarks became apparent when the workhouses and rating machinery went into operation. There is no evidence that

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<sup>66</sup> Ibid., pp. 109, 120, 133-135.

<sup>67</sup> Ibid., pp. 137-142.

<sup>68</sup> Ibid., pp. 143-144.

his eleventh hour pamphlet had any effects on the contents of the Poor Law Act. His forebodings about the operation of the Poor Law in the western parts of Ireland were correct. He was right also in his evaluation that as England held the workhouse in dread so Ireland held the rate in dread. Likewise, as he had said, the original size of the unions was too large.<sup>69</sup>

Contemporaneously with Clements' pamphlet another was published by Henry Maunsell, an Irish doctor. In general it differed with the findings of Nicholls' Report and went further in its objectives. It was the medical aspect of poor relief which especially concerned the author. Maunsell desired a broad measure for medical relief. He noted the incomplete list in the Report of the Irish Commissioners which counted 36 county infirmaries and 452 dispensaries in Ireland. He then cited William Stanley's estimate that this medical establishment, more than ninety per cent supported by charity, handled 1,526,910 extern patients and 41,797 intern patients.<sup>70</sup>

Maunsell insisted that this economical system of medical relief for the poor only required the advantage of centralization in its management to make it capable of fulfilling all the purposes desirable from such a system. He saw the existence of the system as an example of a fundamental Poor Law operating without a legal right of relief or a law of settlement. From this he concluded that a more extended medical relief similarly organized could work without those "objectionable provisions."<sup>71</sup>

Doctor Maunsell also drew other valuable leads from the existing medical relief in Ireland: first, that the number of externs and the smallness of cost

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<sup>69</sup> Ibid., pp. 148-149.

<sup>70</sup> Henry Maunsell, The Only Safe Poor Law Experiment for Ireland (Dublin: Fannin and Company, 1838), pp. 7-8.

<sup>71</sup> Ibid., pp. 8-9.

proved that in the case of medical relief outdoor assistance was not necessarily injurious or expensive and secondly, that the lack of abuse was connected to the peculiar machinery by which the relief was administered and the fact that relief was always in kind. To Maunsell these were clues to the problem of "How are we to relieve the able-bodied destitute without danger to the community."<sup>72</sup>

He was in agreement with Nicholls that no sufficient data existed for estimating accurately the number of able-bodied poor. He felt that the distinction between poor and destitute had been often disregarded. Maunsell believed with Nicholls that the really destitute in Ireland were a small class and cited that death from starvation was rarer in Ireland than in England. He did not deny that upwards of six million were poor, declaring:

That there is a general prevalence of the most miserable poverty in Ireland cannot be denied, but a measure aiming at the direct removal of this, would be a virtual re-distribution of property-- not a Poor, but an Agrarian law.<sup>73</sup>

The doctor's experience in County Donegal, where Nicholls had found very great poverty, led him to believe that absolute destitution among the able-bodied was found only in those convalescent or those forced to care for the sick. Maunsell advocated the use of medical officers to investigate such cases and to relieve them "in kind." He argued that this would entail but a slight extension of the medical institutions with fair security against abuse. He held that it was the impotent poor for whom a workhouse system was peculiarly applicable.<sup>74</sup>

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<sup>72</sup>Ibid., p. 9.

<sup>73</sup>Ibid., pp. 9-10.

<sup>74</sup>Ibid., p. 10.

It is difficult for a modern reader to understand Dr. Maunsell's acceptance of the rigors of the workhouse regime for the impotent. The mere juxtaposition of the terms "impotent" and "workhouse" is so obviously incongruous. Perhaps Maunsell envisioned a modification of these rigors, but he did not say so.

In the matter of orphans and deserted children Maunsell favored the extension of the system under the governors of the Foundling Hospital to the whole of Ireland. This system had been strongly condemned by other writers for decades and was not functioning at this time.<sup>75</sup> He also praised Fitzstephen French's Medical Charities Regulation Bill that was then before Parliament. It contained the principle of centralization, and it would provide a board of commissioners of unpaid medical men and empower the Lord Lieutenant to arrange, alter and determine dispensary and hospital districts.<sup>76</sup>

While Maunsell's pamphlet contained valuable insights into Irish poor relief problems, there is no evidence that his suggestions were heeded by the officials administering the Poor Law. Subsequent developments, particularly the famine, would lead to experiments with some of Maunsell's ideas. Outdoor relief "in kind" would then be conducted as an emergency expedient. There was, undoubtedly, much wisdom in Maunsell's association of illness with genuine destitution. Unemployment accounted for much of the apparent destitution, and unemployment was not a matter for the Poor Law to remedy. In fact, it was the failure to maintain adequate employment in Ireland that was to make the task of poor relief administration such an overwhelming task.

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<sup>75</sup> Abstract of the Final Report of the Irish Poor Inquiry (London: F. C. Westley, 1837), pp. 34-35.

<sup>76</sup> Maunsell, pp. 11-13.



The Irish Poor Relief Bill had successfully weathered the test of polemical opposition in and out of Parliament and had become law. The implementation of the Irish Poor Law would be a more trying matter. If the Poor Law was unsatisfactory to many who felt the intense need of Irish poor relief in 1838, it was unlikely that any more elaborate measure, which would have also been more contentious, could have been passed by the Whig government with its minute Parliamentary majority.<sup>77</sup>

The introduction of the New Poor Law to Ireland by the Whig government was a move that would not have seemed likely a few years earlier. The initial victory of the Benthamites in the passage of the Poor Law Amendment Act of 1834 may be the clue to the Whig sponsored Irish Poor Law of 1838. It was paradoxical that the Whig government introduced such a measure because it had been Michael Sadler and the Tory publicists who had originally proposed extending the English Poor Law to Ireland considering that the orthodox Liberals had declared themselves opposed in principle to the step.<sup>78</sup>

Truly, while the Irish poor relief was part of the Irish programme of the Melbourne ministry, it was not considered as a Liberal measure in the same light with the Tithe Bill and the Irish Corporate Reform Bill. This is evidenced by the reception of the former by the conservative House of Lords. The Irish Poor Relief Bill did far better there than did other Whig measures for Ireland. Unlike the Tithe Bill and the Corporate Reform Bill which were

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<sup>77</sup> McDowell, The Irish Administration, p. 175.

<sup>78</sup> Elie Halevy, A History of the English People in the Nineteenth Century: The Triumph of Reform, translated by E. I. Watkin (London: Ernest Benn, 1950), III, 210.

politically more important to the Whig Party, the Poor Relief Bill became a non-partisan measure.<sup>79</sup>

Strauss, a modern historian, saw the Irish Poor Law as an attempt by the English Radicals to remake Ireland into a smaller agricultural England. In this attempt, which according to him failed, the Radicals did effect important social and economic changes in the structure of Ireland. While they attacked the landlords and the cottiers, until the Great Famine only the cottiers' position was shaken. The landlords themselves had battled against the cottiers by the ejectment laws passed after 1815. The Radical reformers, some of whom were Benthamites, added to the discomfort of the cottiers by the application of the workhouse system to Ireland. The New Poor Law was feared by the landlords because of the expected expense of the system, a result not unappreciated by some of the anti-Irish landlord Radicals.<sup>80</sup>

If the Benthamite Radicals and the political economists did have considerable effect on the enactment of the Irish Poor Relief Act of 1837-8, their influence was indirect. Lord John Russell, while admittedly influenced by many persons and forces about him, was the determining factor in the application of the New Poor Law to Ireland. His decision to introduce the workhouse system to Ireland was undoubtedly swayed by Nicholls and Chadwick; however, he may have been biased to such a view by experience with the abuses of the Old Poor Law and the problems of Irish poverty.<sup>81</sup>

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<sup>79</sup>Walpole, pp. 305-306, 310.

<sup>80</sup>E. Strauss, Irish Nationalism and British Democracy (London: Methuen and Co., 1951), pp. 135-136.

<sup>81</sup>"Bill for the More Effectual Relief of the Destitute Poor in Ireland," British and Foreign Review, V (1837), 396.

Russell had been a member of the Select Committee on Labourers Wages in 1824, and this Committee had heard evidence to the effect that the degradation of the laboring classes had been caused by the allowance system. The Committee condemned the Speenhamland System.<sup>82</sup> Russell had also seen Ireland and its poverty in 1833, a trip rare for English ministers not holding an Irish post. Perhaps such experience had made Russell more attracted to practical remedies for Irish poverty.<sup>83</sup>

Certainly, his support of the introduction of the New Poor Law to Ireland along with the jurisdiction of the English Poor Law Commissioners was paradoxical for Russell in a manner which the Lichfield Compact was not. In 1837 he had quoted from a speech in which Charles James Fox had avowed his desire that the whole Irish government should be regulated by Irish notions and Irish prejudices, and his belief that the more Ireland was under Irish government, the more she would be bound to English interests. Russell then proceeded to defend the existing Irish administration for having acted upon Fox's principles.<sup>84</sup> However, his Irish Poor Relief Bill was not in accord with such principles. Russell's behavior in the question of Irish poverty was in response to new principles which were more economic than social in character.

The thesis advanced by R. D. Collison Black as to the economic role of the State proves to be particularly true in the history of the introduction of the Poor Law to Ireland. And as Black indicated, there was too rigid adherence

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<sup>82</sup>Report from the Select Committee on Labourers Wages (S.P. 1824, H.C. 392, VI), pp. 4-5.

<sup>83</sup>Walpole, pp. 203-205.

<sup>84</sup>Ibid., pp. 287-288.

to dogmas like laissez faire and too abject yielding to vested interests in government policy toward Ireland.<sup>85</sup>

Lord John Russell was the instrument of the interests such as the political economists and the Benthamite reformers in his Poor Law measure. He was considered by Strauss as a weak, stubborn and unimaginative politician, an assessment which did not deny Russell's intellectual ability. Strauss said that while Russell was one of the most unbiased of the English Whigs that he was the advocate of free enterprise against paternalism.<sup>86</sup> Certainly, the lack of bias made him more readily a convert to the strong arguments of the political economists about the economy of Ireland and the solution of Irish problems. The New Poor Law was also especially attractive to an adherent of free enterprise since it minimized the role of the State as the protector and patron of the poor while maintaining such relief as would preserve public order.

In conclusion, the ratification of Russell's Irish Poor Relief Act 1837-8 was not an unexpected event. The entire history leading up to the measure contains little that was unexpected. A legal provision for the poor of Ireland came generations after the question was first broached in earnest in the eighteenth century. If measured by the calamitous events of the Great Famine, the Irish Poor Law was too little, too late. However, this provision bore the potential of being the most significant of all legislation for Ireland.

The Irish Poor Law was the chief of many measures which brought modern administrative government to Ireland. There were some humanitarian motives

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<sup>85</sup>Black, pp. v-vii.

<sup>86</sup>Strauss, p. 85.

behind the poor relief plan approved in 1838 although they were obscured by and of lesser importance than the economic motives. The Irish Poor Law of 1838 contained within it the stress found throughout the nineteenth century in the Irish policies of the British ministries, that is, conciliation and coercion. The workhouse of the Irish Poor Law was itself a mixed dose of conciliation to the poor and coercion of the poor.

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APPROVAL SHEET

The dissertation submitted by Thomas G. Conway has been read and approved by members of the Department of History.

The final copies have been examined by the director of the dissertation and the signature which appears below verifies the fact that any necessary changes have been incorporated and that the dissertation is now given final approval with reference to content and form.

The dissertation is therefore accepted in partial fulfillment of the requirements for the degree of Doctor of Philosophy.

June 16, 1969  
Date

James E. O'Neill  
Signature of Advisor